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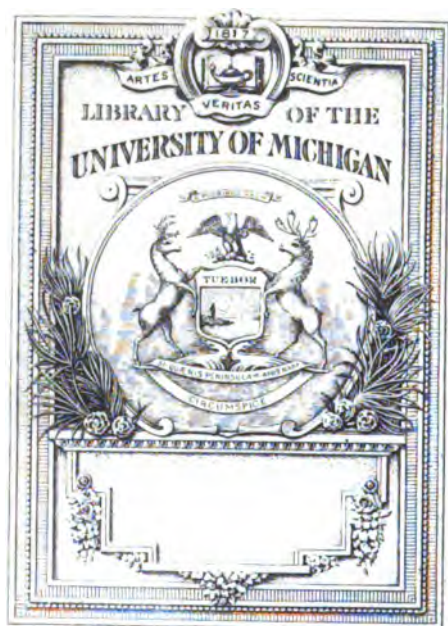
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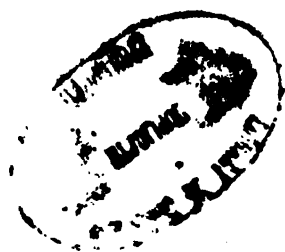
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Wisconsin. Legislature. Assembly

JOURNAL

OF THE

ASSEMBLY OF WISCONSIN.

ANNUAL SESSION, A, D., 1860.



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JOURNAL OF THE ASSEMBLY.

TWELFTH ANNUAL SESSION.

WEDNESDAY, JANUARY 11th, 1860.

THE TWELFTH ANNUAL SESSION of the Legislature of the State of Wisconsin, began on the second Wednesday of January A. D., 1860.

At 12 o'clock, M., of said day, the Assembly was called to order by L. H. D. CRANE, Chief Clerk of the Assembly of the year 1859, and the roll of members elect, as certified by the Secretary of State was read, as follows:

List of Members of Assembly elected in the State of Wisconsin, at a General Election held therein, on the eighth day of November, A. D., 1859, as appears from the returns made to the office of the Secretary of State.

Kenosha—

1st District—	Meredith Howland,
2d do	Salmon Upson.

Racine—

1st District—	William P. Lyon,
2d do	Lewis L. Baldwin,
3d do	Knud Langland,
4th do	F. A. Weage.

Walworth—

1st District—	Clarkson Miller,
2d do	John DeWolf,
3d do	Anderson Whiting,
4th do	James Child.

Rock—

1st District—	William E. Wheeler,
2d do	Thomas C. Westby,
3d do	John P. Dixon,
4th do	Jeremiah Johnson,
5th do	George Golden.

Green—

1st District—	Walter S. Wescott,
2d do	Martin Mitchell.

Lafayette—

1st District—	(No returns,)
2d do	do
3d do	do

Iowa—

1st District—	Gardner C. Meigs,
2d do	Amasa Cobb.

Richland—

J. L. Jackson.

Dane—

1st District—	William W. Blackman,
2d do	Eleazer Grover, Jr.,
3d do	John Beath,
4th do	Francis Fischer,
5th do	Leonard J. Farwell,
6th do	Cassius Fairchild.

Waukesha—

1st District—	Albert Alden,
2d do	William R. Hesk,
3d do	Andrew E. Elmore,
4th do	Benjamin Hunkins,
5th do	R. C. Robertson.

La Pointe, Douglas, Burnet, Polk and St. Croix—
Asaph Whittlesey.

Pierce, Pepin, Dunn, Eau Claire, Chippewa & Clark—
William P. Bartlett.

Milwaukee—

1st District	—	H. L. Palmer,
2d do		L. A. Schmidtner,
3d do		Edward Keogh,
4th do		E. D. Holton,
5th do		E. G. Hayden,
6th do		Matthias Humann,
7th do		Patrick Dockry,
8th do		John Ruan,
9th do		Andrew Eble.*

Ozaukee—

1st District	—	Anthony Ahlhauser,
2d do		Frederick W. Horn.

Washington—

1st District	—	George Keifer,
2d do		Matthias Altenhofen,
3d do		T. E. Vandercook.

Fond du Lac—

1st District	—	Alvin E. Bovay,
2d do		Benjamin H. Bettis,
3d do		J. C. Lewis,
4th do		John Boyd,
5th do		William T. Brooks.

Winnebago—

1st District	—	Gabriel Bouck,
2d do		George B. Goodwin,
3d do		George S. Burnham.

Manitowoc—

1st District	—	Joseph Rankin,
2d do		Henry Mulholland.

Calumet—

Asaph Green.

Grant—

1st District	—	James K. Spottswood,
2d do		James W. Seaton,
3d do		Jonathan B. Moore,
4th do		S. F. Clize,
5th do		George Ballantine.

Sheboygan—

1st District	—	James T. Kingsbury,
2d do		Erastus W. Stannard,
3d do		Oran Rogers.

* Deceased.

Crawford and Bad Ax—

William C. McMichael.

La Crosse and Monroe—

(No returns.)

Dodge—

1st District—	Elva Simpson,
2d do	Max Bachuber,
3d do	Jonathan W. Nash,
4th do	Stoddard Judd,
5th do	David S. Ordway,
6th do	Henry C. Griffin.

Jefferson—

1st District—	Norman Horton,
2d do	Charles G. Hammerquist,
3d do	Heber Smith,
4th do	H. H. Winter,
5th do	John Sutton.

Columbia—

1st District—	Henry B. Munn,
2d do	William M. Griswold,
3d do	Marcus Barden.

Adams and Juneau—

Albert Wood.

Sauk—

1st District—	E. W. Young,
2d do	Edwin Sumner.

Brown—

John C. Neville.

Outagamie—

Daniel C. Jennie.

Door, Oconto, Kewaunee and Shawanaw—

John Wiley.

Waupacca—

M. B. Patchin.

Waushara—

Jacob S. Bugh.

Marquette—

O. W. Bow.

11, 1860.]

THE ASSEMBLY.

7

Green Lake—

James W. Burt.

Portage, Marathon and Wood—

John Phillips.

Jackson, Buffalo and Trempealeau—

Romanzo Bunn.

STATE OF WISCONSIN, }
Secretary's Office, } ss.

The Secretary of State of the State of Wisconsin, hereby certifies the foregoing is a correct list of Members of Assembly, elected at a General Election, held in said State, on the eighth day of November, A. D. 1859, as returned to this office by the Clerks of County Boards of Supervisors of the several Counties in said State.

[L. S.] Witness my hand and the Great Seal of the State,
at the Capitol in Madison, this 10th day of January, 1860.

L. P. HARVEY,
Secretary of State.

The following certificates were then read :

STATE OF WISCONSIN, }
County of La Fayette, } ss.

I, John Collins, the Clerk of the Board of Supervisors of said County hereby certifies, that at a General Election held in the several Towns in said County, on the eighth day of November, A. D. 1859, Samuel Cole was, by the greatest number of votes, elected a member of Assembly for the Eastern District for the County of La Fayette.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Board of County
[L. S.] Supervisors, at Shullsburg, in said County, this twelfth day of December, 1859.

JOHN COLLINS,
Clerk of Board of Supervisors.

STATE OF WISCONSIN, }
County of La Crosse, } ss.

J. S. Patten, the Clerk of the Board of Supervisors of said County hereby certifies, that at a General Election held in the several towns and wards in the Assembly District, composed of the Counties of La Crosse and Monroe, on the eighth day

of November, 1859, John J. McKay was, by the greatest number of votes elected a member of the Assembly for said Assembly District.

[L.S.] Given under my hand at La Crosse, this 29th day of November, 1859.

J. S. PATTEN,

Clerk of Board of Supervisors of La Crosse County.

By S. WOODWARD, *Deputy.*

The roll was then called, and all the gentlemen certified to, as above set forth, excepting Messrs. Schmidtner, Spottswood and Wiley, then took and subscribed the oath of office, which was then administered by Hon. Orsamus Cole, Associate Justice of the Supreme Court.

Mr. Alden then moved that the Assembly do proceed to choose seats.

Mr. Bovay moved to adjourn to 3 o'clock this P. M. ;

Which was lost.

Mr. Bouck moved to proceed to the election of Speaker ;

Which was ruled out of order.

Mr. Judd moved to lay Mr. Alden's motion on the table ;

Which was agreed to.

Mr. Bouck then renewed his motion to proceed to the election of a Speaker ;

Which was carried.

Whereupon—

Mr. Horn nominated Henry L. Palmer, of Milwaukee, for that office.

A ballot was had and resulted as follows :

Messrs. Ahlhauser, Altenhoffen, Bachuber, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Green, Griffin, Grover, Hesk, Horn, Humann, Hunkins, Jackson, Kiefer, Keogh, Kingsbury, Meigs, Mulholland, Munn, Neville, Patchin, Rankin, Ruan, Seaton, Simpson, Sutton and Winter—32 voted for H. L. Palmer.

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clize, Cobb, DeWolf, Dickson, Farwell, Fischer, Golden, Goodwin, Griswold, Hammerquist, Hayden, Holton, Horton, Howland, Jenne, Johnson, Judd, Langland, Lewis, McMichael, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, Vandercook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—55 voted for William P. Lyon.

Mr. H. L. Palmer voted for Fred Horn.

Mr. William P. Lyon voted for Amasa Cobb.

WM. P. LYON, having received a majority of all the votes cast, was declared duly elected as Speaker of the Assembly.

Messrs. Holton and Palmer, being requested thereto by the Clerk, escorted the Speaker elect to the chair.

The Speaker, after a brief address, inquired the pleasure of the Assembly.

Mr. Blackman moved to proceed to the election of a Clerk; Which was agreed to.

Whereupon, Mr. Horn nominated Charles R. Gleason.

A ballot was had, resulting as follows :

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Burt, Barnum, Child, Clize, Cobb, Dickson, DeWolf, Farwell, Fischer, Goodwin, Golden, Griswold, Hammerquist, Hayden, Hesk, Holton, Horton, Howland, Hunkins, Jenne, Johnson, Judd, Langland, Lewis, McMichael, J. J. McKay, Meigs, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, Vandercook, Weage, Westby, Wescott, Winter, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker.—61 voted for L. H. D. Crane.

Messrs. Altenhofen, Bachuber, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Green, Griffin, Grover, Horn, Humann, Jackson, Kiefer, Keogh, Kingsbury, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Ruan, Seaton, Simpson, Sutton—30 voted for Charles R. Gleason.

Mr. Crane having received a majority of all the votes cast, was declared duly elected.

The oath of office was then administered to him by the Speaker.

On motion of Mr. Miller, the Assembly proceeded to the election of a Sergeant-at-Arms.

Pending which,

Mr. Horn nominated Louis Rupp for that office.

The result of the ballot was as follows :

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Barnum, Child, Clize, Cobb, Dickson, Farwell, Fischer, Goodwin, Golden, Griswold, Hammerquest, Hayden, Holton, Horton, Howland, Jenne, Johnson, Judd, Langland, Lewis, McMichael, J. J. McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, Vandercook, Weage, Westby, Wescott, Wheeler, Whiting, Wood and Young and Mr. Speaker—56 voted for Mr. Gates.

Messrs. Altenhofen, Bachuber, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Green, Griffin, Grover, Hesk, Horn, Humann, Hunkins, Jackson, Kiefer, Keogh, Kingsbury,

Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Ruan, Seaton, Simpson, Sutton, and Winter—83 voted for Mr. Rapp.

On motion of Mr. Cobb,

Mr. T. C. L. MacKay, a member elect from the county of La Fayette, whose election was uncertified, was allowed a seat on the floor and sworn in, by the Speaker.

Mr. Fairchild presented

Resolution No. 1, A.

Resolved, That the rules of the last Assembly be adopted as the rules of this Assembly, until otherwise ordered.

Which was adopted.

On motion of Mr. Blackman, the Assembly took a recess until 8 o'clock.

3 o'clock, P. M.

The Assembly met.

The Speaker in the Chair.

Mr. Elmore presented the following resolution :

Res. No. 2, A.

Resolved, That we now proceed to select seats, and for that purpose the Clerk put the names of all the members in a box and draw therefrom each such name singly, and as each name is announced the member choose his seat, and announce the number of the seat so chosen, and thereupon take possession of the same, and occupy it until the drawing is completed.

Which was agreed to.

A drawing for seats was then had, which resulted as follows :

	No. of Seat.
Mr. Ahlhauser, - - - - -	2
Alden, - - - - -	83
Altenhofen, - - - - -	45
Bachuber, - - - - -	46
Baldwin, - - - - -	20
Ballantine, - - - - -	91
Barden, - - - - -	12
Bartlett, - - - - -	30
Bettis, - - - - -	17
Beath, - - - - -	33
Blackman, - - - - -	61

	No. of Seat.
Mr. Bouck, - - - - -	34
Bow, - - - - -	40
Boyd, - - - - -	99
Bovay, - - - - -	52
Brooks, - - - - -	26
Bugh, - - - - -	6
Bunn, - - - - -	11
Burt, - - - - -	16
Barnum, - - - - -	7
Child, - - - - -	74
Clize, - - - - -	27
Cobb, - - - - -	31
Cole, - - - - -	47
Dickson, - - - - -	24
DeWolf, - - - - -	55
Dockry, - - - - -	79
Elmore, - - - - -	5
Fairchild, - - - - -	37
Farwell, - - - - -	62
Fischer, - - - - -	60
Goodwin, - - - - -	68
Golden, - - - - -	49
Green, - - - - -	82
Griffin, - - - - -	51
Griswold, - - - - -	13
Grover, - - - - -	78
Hammerquist, - - - - -	72
Hayden, - - - - -	70
Hesk, - - - - -	85
Holton, - - - - -	22
Horn, - - - - -	1
Horton, - - - - -	78
Howland, - - - - -	29
Humann, - - - - -	8
Hunkins, - - - - -	84
Jackson, - - - - -	80
Jenne, - - - - -	50
Johnson, - - - - -	67
Judd, - - - - -	57
Kiefer, - - - - -	90
Keogh, - - - - -	35
Kingsbury, - - - - -	44
Langland, - - - - -	19
Lewis, - - - - -	58
McMichael, - - - - -	14

						No. of Seat.
Mr. J. J. McKay,	-	-	-	-	-	10
T. C. L. MacKay,	-	-	-	-	-	81
Meigs,	-	-	-	-	-	38
Miller, -	-	-	-	-	-	98
Mitchell, -	-	-	-	-	-	48
Moore, -	-	-	-	-	-	25
Mulholland,	-	-	-	-	-	87
Munn, -	-	-	-	-	-	48
Nash, -	-	-	-	-	-	66
Neville, -	-	-	-	-	-	4
Ordway, -	-	-	-	-	-	64
Palmer, -	-	-	-	-	-	36
Patchin, -	-	-	-	-	-	76
Phillips, -	-	-	-	-	-	75
Rankin, -	-	-	-	-	-	8
Robertson, -	-	-	-	-	-	88
Rogers, -	-	-	-	-	-	15
Ruan, -	-	-	-	-	-	96
Schmidtner, -	-	-	-	-	-	9
Seaton, -	-	-	-	-	-	71
Simpson, -	-	-	-	-	-	41
Smith, -	-	-	-	-	-	56
Spottswood, -	-	-	-	-	-	69
Stannard, -	-	-	-	-	-	18
Sumner, -	-	-	-	-	-	54
Sutton, -	-	-	-	-	-	42
Townsend, -	-	-	-	-	-	39
Upson, -	-	-	-	-	-	28
Vandercook, -	-	-	-	-	-	58
Weage, -	-	-	-	-	-	21
Westby, -	-	-	-	-	-	59
Wescott, -	-	-	-	-	-	77
Winter, -	-	-	-	-	-	86
Wiley, -	-	-	-	-	-	—
Wheeler, -	-	-	-	-	-	65
Whittlesey, -	-	-	-	-	-	32
Whiting, -	-	-	-	-	-	23
Wood, -	-	-	-	-	-	68
Young, -	-	-	-	-	-	89

On motion of Mr. Bouck,
The Assembly adjourned.

THURSDAY, JANUARY 12th, 10 o'clock, A. M.

The Assembly met,
The Speaker in the Chair.

On motion of Mr. Cobb, the reading of the journal of yesterday was dispensed with.

Messrs. Townsend of Lafayette county, Spottswood of Grant county, and Schmidtner of Milwaukee county, appeared in the Assembly Chamber, the oath of office was administered and they took their seats.

Mr. Cobb moved that the Clerk inform the Senate that the Assembly was organized and ready to proceed to business.
Which motion prevailed.

MESSAGE FROM THE SENATE,

By John H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER—

I am directed to inform you that the Senate is now organized and ready for business.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred :

By Mr. Speaker :

Mem. No. 1, A.,

Of Mitchell L. Delaney, contesting the seat of Mr. Altenhofer from Washington county, with accompanying papers ;

To committee on privileges and elections.

RESOLUTIONS INTRODUCED.

By Mr. Blackman :

J. Res. No. 1, A.,

Resolved, by the Assembly, the Senate concurring, That a joint Committee of two from the Senate and three from the Assembly be appointed to wait upon His Excellency, the Governor, and inform him that the Legislature is organized and ready to receive any communication that he may desire to make, and that said Committee be directed to invite the State Officers

and Judges of the Supreme Court to take seats in the Assembly Chamber, during the delivery of the Governor's Message.

The rules were suspended and the resolution adopted.

The Speaker appointed Messrs. Blackman, Elmore and Bar-num as said Committee, on the part of the Assembly.

By Mr. Munn :

J. Res. No. 2, A.,

Resolved, by the Assembly the Senate concurring, That the Sergeants-at-Arms of the Senate and Assembly be directed to furnish each newspaper published in this State with a copy of the daily proceedings of each body, and a copy of each bill ordered printed by either branch of the Legislature; also one copy of the Journal and Documents, and a copy of the reports of the State officers.

Resolved, That there be one hundred copies of the daily slips and bills printed for the use of the Sergeants-at-Arms, in addition to the number prescribed by the rules, and that the Superintendent of Public Property be directed to furnish them with the necessary postage stamps in order that they may comply with the requirements of these resolutions ;

Which lies over.

By Mr. Griswold :

J. Res. No. 3, A.,

Resolved, by the Assembly the Senate concurring, That both bodies meet in joint convention in the Assembly Chamber at eleven o'clock, A. M., for the purpose of listening to the Governor's Message ;

Rules suspended and the resolution adopted.

By Mr. Elmore :

Res. No. 3, A.,

Resolved, That the Superintendent of Public Property furnish of the reporters of the several papers necessary stationery;

Rules suspended and the resolution adopted.

By Mr. Griswold :

Res. No. 4, A.,

Resolved, That the proper committees be requested to bring in the appropriation bills for the various public institutions of the State during the first ten days of the present session ;

Which lies over.

Mr. Elmore moved that the Assembly take a recess of fifteen minutes ;

Which was agreed to.

HALF PAST TEN O'CLOCK.

Mr. Blackman, Chairman of Committee appointed under J. Res. No. 1, A., reported that the Governor would meet the Senate and Assembly in Joint Convention in the Assembly Chamber at 11 o'clock.

MESSAGE FROM THE SENATE,

By John H. Warren, Esq., Chief Clerk.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

J. Res. No. 1, A.,

Providing for a Joint Committee to wait upon the Governor, and the President has appointed Senators Rodolf and A. I. Bennett, on the part of the Senate.

RESOLUTIONS INTRODUCED.

By Mr. Bouck :

Res. No. 5, A.,

Resolved, That the Superintendent of Public Property is hereby required to furnish each member of the Assembly with a copy of the Revised Statutes and of the General Laws of 1859, and take their receipts therefor, and that at the close of the session, each member be required to return the same to said Superintendent.

On motion of Mr. Bouck, the rules were suspended for the purpose of considering said resolution.

Mr. Humann moved to amend, by adding after the figures 1859, the words "and also a copy of Webster's Dictionary ;"

Which was not agreed to.

Mr. Horn moved to amend by striking out of said resolution all after the figures "1859 ;"

Which was agreed to.

And the resolution as amended was adopted.

BILLS, &c.,

Introduced on leave, granted, read first and second times, and referred.

By Mr. Elmore :

No. 1, A., a bill for an act to amend chapter 138 of the Revised Statutes, entitled "Of costs and fees ;"

To Committee on the Judiciary.

By Mr. Bouck :

No. 2, A., a bill for an act to legalize certain publications in proceedings at law and equity ;

To Committee on Judiciary.

By Mr. Fairchild :

No. 3, A., a bill for an act to authorize the Sauk City Bank and the Wisconsin Bank of Madison to reduce their capital ;

To Committee on Banks and Banking.

By Mr. Neville :

No. 4, A., a bill for an act to authorize the Northern Bank to reduce its capital stock ;

To Committee on Banks and Banking.

On motion of Mr. Bartlett,

The Assembly took a recess until 11 o'clock, A. M.

11 O'CLOCK, A. M.

Mr. Boyd moved that a committee of three be appointed to inform the Senate that the Assembly were ready to receive them in Joint Convention ;

Which was agreed to.

The SPEAKER appointed Messrs. Boyd, Bartlett and Judd as said committee, who retired from the Assembly Chamber, and on their return reported that they had performed that duty.

JOINT CONVENTION.

The Honorable the Senate of the State of Wisconsin were announced by the Sergeant-at-Arms, and took their places in the Assembly Chamber.

Hon. B. G. Noble, Lieutenant Governor of the State, called the Joint Convention to order.

Mr. Holton moved that a committee of three be appointed to wait upon the Governor and inform him that the two Houses are in Joint Convention, ready to receive any Message he may have to deliver ;

Which motion prevailed.

The President appointed as such committee, Messrs. Holton and Palmer and Senator Bennett.

The Governor and State Officers were then announced by the Sergeant-at-Arms, and duly received by the Joint Convention.

GOVERNOR'S MESSAGE.

The Governor then read his Annual Message, as follows:

Gentlemen of the Senate and Assembly :

The difficulties and embarrassments under which the State has labored for some years have been outgrown.

The Report of the State Treasurer for the fiscal year ending on the 30th day of September, 1859, shows a balance in the State Treasury at that time belonging to the general fund of \$11,205 11.

Up to that time, after the receipt into the Treasury of the preceding State Tax, all demands upon the General Fund had been promptly paid on presentation. The State owes no floating debt. Since the first day of October all legal demands against the State have also been paid on presentation, and on the first day of January, 1860, there remained in the Treasury belonging to the General Fund the sum of \$16,910 47 to meet any expenses that may arise.

There is a large demand made against the State by James Ross, State Printer, which has been audited by the Secretary of State, the legality and correctness of which is denied by the State Treasurer, and which, therefore, he refuses to pay.

The amount audited by the Secretary of State and paid to the State Printer during the past year, including \$145 paid in December, 1858, is \$38,341 97, of which all but \$2,205 was from the General Fund. The amount audited and unpaid for reasons above stated is \$38,762 16, of which \$16,884 06 is claimed from the General Fund.

It is believed that the State Printer claims a large sum, for services performed by him as such printer, beyond what he is entitled to by his contract. The contract and the law should be closely scrutinized, and while there is a legal contract existing between Ross and the State, both parties should be held strictly to it.

The aggregate receipts into the General Fund during the calendar year ending December 31st, 1859, were.....	\$534,051 28
Aggregate disbursements for same time,	490,522 96

Of the amount expended, the sum of \$176,875 65 was for Charitable Institutions, Capitol Extension, and State Prison.

And the sum of \$124,768 85 for various purposes, under

appropriations, certified accounts, &c., belonging previous to January 1, 1859.

Deducting this sum, to-wit: \$801,644 50, from the aggregate expenditures of the year as above, we find the expenditures proper of carrying on the State Government, to have been \$188,836 46.

The Secretary of State estimates in detail the expenditures to be defrayed from the General Fund of the State Treasury for the current year, showing each item thereof, and distinguishing between those which are provided for by permanent appropriations, and such as require appropriations at the present session of the Legislature: and showing also the resources which are applicable to defray such expenditures.

Assuming the estimates of expenditures and resources of the State as submitted by the Secretary to be correct, the indebtedness of the State at the end of the present fiscal year will be one thousand one hundred dollars and fifty cents. But the Secretary estimates as part of the expenditures, an appropriation of \$45,000 to the State Prison to be made at the present session, when the amount required does not exceed \$25,000. He also estimates the printing for this Legislature in English and Foreign languages at \$45,000, while the amount ought not to exceed \$25,000. If the taxes for A. D. 1859, are promptly paid into the State Treasury, and reasonable economy is exercised by the Legislature, all liabilities against the Treasury can be promptly met, and it is believed a surplus of thousands of dollars will remain in the Treasury at the end of the fiscal year. There being no old obligations hanging over the State for which the Treasury is now liable, it is believed that a State tax of the same amount as that authorized by the last Legislature, will be ample to meet all the wants of the State for the year ending September 30, 1861.

On the 30th of September last there was due from Counties on State tax of last year \$66,494 14, which has since been paid up.

It is a subject of congratulation, that the finances of the State are in so sound a condition. Unlike most new States, Wisconsin has paid for her public improvements, such as the erection of prisons and charitable institutions, without creating a permanent State debt for such purposes. The expenses of our State government, and the amount of our State taxes levied and collected last year, as well as the amount required for the next year, are less than those of any other northern State out of New England, with a single exception.

It is the true policy of the State in the future, as it would have been in the past, "to pay as it goes." Liberal appropri-

ations for all useful and necessary purposes should be made; while prudence in the demand, and economy in the expenditures of the moneys appropriated, will enable the government of the State to move smoothly on with a degree of independence entirely unknown to other new States.

SCHOOL FUND.

The School Fund on the 1st of October last, amounted to	\$8,001,297 30
Producing in interest, at 7 per cent.,	210,090 81
Deducting interest on 25 per cent. of swamp land appropriated to Normal Schools,	17,302 47
And adding the amount of 25 per cent. of Swamp Land Fund Income and the School Fund Income on hand, in all amounting to	52,484 07
Gives the amount of School Fund Income to be appropriated in March next	245,272 41

UNIVERSITY FUND.

The University Fund on the 1st day of October last, amounted to	\$800,725 22
On which the annual interest of 7 per cent. is	21,050 76
Add balance in Treasury,	501 04
Gives income for the University for the year,	21,551 80

SWAMP LAND FUND.

The Swamp Land Fund on the 1st October last, amounted to...	\$988,712 88
The interest on which, at 6 per cent., is	69,209 90

This amount is by law divided as follows :

To School Fund, 25 per cent.,	\$17,302 48
Normal School Fund, 25 per cent.,	17,302 47
Drainage Fund, 50 per cent.,	34,604 95

The last sum is distributed annually to the several counties in the State, in proportion to the amount received from the sales of lands in such counties. Including a balance in the Treasury to the credit of this fund, the amount to be appropriated the present year will be about \$58,000.

Including the balance to the credit of the Normal School Fund in the Treasury, the amount to be appropriated this year to the Academies and Colleges of the State will be about \$26,000.

VALUATION AND ASSESSMENT.

From the report of the State Board of Equalization, consisting of the Senate, meeting for the first time under the new assessment law, in September last, it appears that the number of acres of land assessed in the State last year was 17,411,418. The average valuation, as equalized was \$6 78 per acre. The aggregate valuation of lands, as equalized, was \$118,178,829. Aggregate valuation of lots, as equalized, \$36,883,511. Ag-

gregate valuation of personal property, \$13,607,898. Total aggregate valuation of property, as equalized, \$168,620,238.

A comparison with the same items of the assessments of 1858 is decidedly favorable to the good effects of the new law, showing an increased return and valuation of property in 1859 as compared with 1858, as assessed, of \$82,619,680, and as equalized, of \$98,702,213.

The true rule in the levy and collection of taxes is to make the property of the State pay the taxes of the State. When all property, real and personal, is assessed at a fair cash value, the burthens of government expenses are equally and fairly distributed. The property of every man is protected by law, and each should be compelled to pay to meet the expenses of the State according to what he has. It is difficult to conceive why any discrimination should be made in the assessment of personal and real estate. An offset of indebtedness against assessed valuation might as well be made upon an encumbered farm, as debts deducted from the valuation of personal estate. This question of assessment and the levy and collection of taxes, commends itself to your careful consideration. Independent of the defect in the law, growing out of the discrimination above suggested, our present law is defective in its details and machinery. It requires simplifying and perfecting.

The total taxation levied last year for State purposes, including the amount to meet State indebtedness, and for township libraries, was one and four-tenths mills per cent. on the dollar of valuation, producing in the aggregate the sum of \$234,310 11, of revenue. This is \$200,000 less than the previous year, and less than any year for the past six years.

STATISTICS.

The returns required by law to be made to the Secretary of State of agricultural, manufacturing and mineral statistics, are very imperfect, and show an inexcusable neglect in the officers charged with the duty of making such returns. So far as they have been made, they show the valuation of the product of industry to be \$33,986,771; the counties of Grant, Kewaunee, La Crosse, Manitowoc, Milwaukee, Portage and Wood making no returns. These counties are among the most important in the State. The same neglect is exhibited in other particulars.

The number of Deaf and Dumb reported is.....	122
The number of Blind reported is	59
The number of Insane	97
And the number of Idiotic	63

Forty-nine counties make no report. The law which requires statistical information to be furnished, is entirely inadequate, and ought to be revised. Severe penalties ought to be imposed upon officers who either carelessly or wilfully fail in the performance of such duties. It is a matter of great public concern that, every year, information be furnished of the evidences of increasing wealth and prosperity of the State. It is safe to conclude, that scarcely more than half the mineral and agricultural products and manufactured articles and fabrics of the State are shown by the reports made. Of the vast lumber and timber trade of the North and North-west, we have but a very imperfect knowledge. The Legislature ought to be furnished with all the facts showing the wealth of the State, and the energy and enterprise of the people. It would be useful to our citizens at home, and do credit to the State abroad. It would invite capital hither for permanent investment, from which far greater advantages would be reaped than from foreign capital loaned at twelve per cent.

COMMON SCHOOLS.

The number of persons of school age—that is, between four and twenty years of age—as returned for 1859, is 278,871.

The average length of time schools have to be taught is five and one-half months. Total number of School Districts in the State, 4,331.

Valuation of School House property,.....	\$1,185,181 00
The average wages paid to male Teachers per month has been..	22 93
The average wages to Female Teachers,.....	14 29
The amount paid for Teachers' wages during the last year is..	536,860 60

That sum is an increase of over \$200,000 above the aggregate amount paid for the same purpose the previous year.

According to the figures of the Secretary of State, as I have before stated, the amount to be apportioned for the support of schools, next March would be \$245,272, if the interest due the School Fund should be promptly paid; but the experience of the past year showed a deficit of about \$70,000, owing to the failure to pay interest, and the Superintendent of Public Instruction estimates for a considerable, but not so large, deficit the present year.

The School Fund is less by about \$60,000, than last year, owing to the failure to pay for, and the consequent forfeiture of lands heretofore sold.

The policy that has been so long pursued of selling the school lands, either in large or small quantities, with so small a portion of the purchase money paid down at the time of the

sale, has been most mischievous. The evils of that system now begin to be realized. The entry of large quantities of the best agricultural lands belonging to that fund by speculators, to be put into the market at speculating prices, has retarded the settlement and cultivation of the lands, and financial reverses have returned them, by thousands of acres, upon the fund. Lands, valuable chiefly for timber, have been held until their value has been destroyed by exhaustion of the forests growing upon them and then forfeited. The school lands still in the hands of the State unsold, are every year deteriorating in value for want of adequate legal means to prevent trespasses. The Commissioners should be armed with the necessary legal processes by the Legislature, and ample means furnished them to pay the expenses incident to prosecutions and protecting agencies.

The Board of Regents of Normal Schools, composed of educated and discreet men, has been an excellent auxiliary to our school system. The Teachers' Institutes, under the direction and supervision of Chancellor Barnard, an accomplished scholar and teacher, are giving new life and vigor to education in the State. They are making teaching a pleasant and a profitable duty, rather than a task, and the children in the schools are reaping rich harvests of knowledge and thought from the intellectual soil well prepared, and the seed well sown.

BANKS AND BANKING.

On the first Monday of January, 1859, the whole number of Banking Associations, doing business under the laws of the State, was ninety-nine, with an aggregate capital of \$8,045,000. During the year 1859, fifteen new banks have been organized, with an aggregate capital of \$575,000.

Five Banks have increased their capital,.....	\$ 260,000
Total capital, January 1, 1859, and increase,	8,880,000
Ten Banks have reduced their capital,.....	\$570,000
Six have relinquished business with an aggregate capital of.....	550,000
	<hr/> 1,120,000
The whole number of banks in operation on the first Monday in 1860, was one hundred eight, with an aggregate capital of.....	7,760,000
The decrease of banking capital for the year is,.....	285,000
The whole amount of countersigned notes issued and delivered to the banks, and outstanding on the first day of January, 1860, is \$4,609,432, to wit: Banks doing business.....	4,478,231
Banks winding up,.....	133,201
	<hr/> 4,609,432

These notes are secured by the deposit of specie and public stocks, as follows:

California State Stocks, 7 per cent.....		\$78,000
Georgia " 5 "		31,000
" " 7 "		20,000
Illinois " 6 "		558,020
Iowa " 7 "		10,000
Indiana " 5 "		60,000
Kentucky " 6 "		11,000
Louisiana " 5 "		10,000
Missouri " 6 "		2,049,000
Michigan " 6 "		198,000
North Carolina " 6 "		493,500
Ohio " 6 "		228,000
Tennessee " 6 "		750,000
Virginia " 5 "		57,600
" " 6 "		188,000
Wisconsin " 6 "		100,000
Minnesota " 8 "		20,000
Racine & Mississippi Railroad Company Bonds 8 per cent.....		27,000
Milwaukee & Mississippi Railroad Company Bonds 8 per cent.....		50,000

Total..... \$4,975,120

Specie of organized Banks....	\$28,244 50
Specie of Banks winding up.....	132,201 00
	<hr/> \$158,445 50
Total securities on deposit.....	5,138,565 50
The amount of the Bank Tax during the past year was.....	118,806 85

The present Comptroller suggests that it is evident the original Banking Law of this State intended to provide only for the establishment of business Banks, and not of Banks of circulation merely, and that Banks of the latter class were always evasions of the law. To make this clearer, the act of May 15, 1858, was passed, directing the Bank Comptroller to "refuse to issue any *circulating* notes to any Banking Association, unless he shall have satisfactory evidence that such banking association had not been, or is not to be organized for the purpose of issuing circulating notes merely, but was, or is to be, organized for the purpose of doing a banking business by discounting bills, notes, and other evidences of debt; by receiving deposits; buying and selling gold and silver bullion, foreign and inland bills of exchange; by loaning money on real and personal security, and by exercising such incidental powers as may be necessary to carry on such business, at the place where such bank purports to be located."

After the passage of that act it was the practice of his predecessor to require from such new Banking Associations as were organized, the affidavit of some officer or stockholder that the association was formed for the purposes indicated by this law, and such affidavits were taken as "*satisfactory evidence*." It is plain, that notwithstanding these precautions, some Banking Associations are kept up for the purpose of circulation merely, and without doing or intending to do a banking busi-

ness, and without keeping an office, as required, for the redemption of their circulating notes.

The evidences of these facts existing in the Bank Department are as follows:

First, the semi-annual Reports of a number of banks show conclusively that they are engaged in no banking business whatever, except the issuing of circulating notes. Second, in several cases protests of circulating notes have been filed in that office, showing the presentation of such notes at the pretended place of business of the bank purporting to issue them, and the non-existence, there, of any office for the redemption of the notes.

The Comptroller suggests that he will unhesitatingly refuse to issue further circulating notes to banks of this class, when they are known; but action in regard to such as have escaped, or may hereafter escape, the vigilance of his office, seems to pertain to some other Department of the Government.

A case is referred to where the "period of the termination of the association" has passed and no new certificate of association filed. The Bank is in operation without authority of law, and there is no power in that department to efficiently interfere. In all such cases the Comptroller should be clothed with power to close up the business of the association, and the attention of the Legislature is invited to the subject. I have no doubt that the Legislature has power to amend the banking law of this State without submitting the amendments to a vote of the people, in all cases where the amendments do not change the principle of the banking law, but merely aid in carrying out its true intent and meaning, and tend to perfect the system and protect the public.

CHARITABLE INSTITUTIONS—THE STATE HOSPITAL FOR THE INSANE.

The buildings of this institution will not be prepared for the reception of patients before next spring.

The report of the Building Commissioners and of the Trustees, explains their present condition and future necessities.

Institutions of the kind are everywhere more expensive than those of any other public character. Whether it was wise to let the contract in the first instance to erect so much of the proposed buildings at so early a day, may be a question of doubt. But if there was any error in it, it is now too late to avoid it. All that has been done would at some time, have been necessary. The money expended is not lost. The buildings, when completed according to the present plan, will be less expensive than those of almost every other State. The want of facilities for

safe keeping and successfully treating insane persons in this State is keenly felt. The institution should be prepared for the reception of patients immediately.

The Trustees estimate the amount of money required for the use of the Hospital for the year 1860, at \$28,096 and for the extension of buildings \$20,000.

A careful examination of the reports and of the buildings themselves by committees of the Legislature, will show the necessities of the institution, pecuniarily, in its own behalf, and as a public charity, in behalf of the unfortunate class it is designed to relieve.

STATE REFORM SCHOOL.

At the last session of the Legislature, \$10,000 dollars were appropriated to enable the Commissioners to prosecute the work upon the buildings of this institution. There was a clause in the law requiring from the Secretary of State a certificate that the title of lands belonging to the State upon which the buildings were located was perfect, before the Treasurer was authorized to pay the appropriation. The title to the lands upon which the buildings were erected was certified to be perfect. There were about ten acres of the lands connected with the institution, which were incumbered in such a manner that they could not be cleared, so that the money could be paid, if a technical construction was given to the law. Nearly sixty acres of the land are entirely unincumbered. The condition of the buildings was such that if the work had been stopped, the State must have suffered great loss. It was advised as a matter of public necessity, that such a construction be given to the law, as that the money might be drawn and expended, upon such a certificate of title as the Secretary was able to give. This course was very properly pursued, and the money drawn and expended in other respects as the law required. The appropriation last year ought to have been \$20,000.

The amount required this year, according to the estimates of the Commissioners, is \$15,029 84. The building is not yet completed. Most advantageous contracts have been made to complete it, with the advice and approval of the Executive, as the law provided. The whole amount required to complete the buildings ready for inmates, will come within the first estimates of their expense. The plan is the most perfect one for the purposes intended of any institution of the kind in the country; and the money appropriated has been more directly and economically expended, than has been usual in public im-

provements of the kind. The reports of the Commissioners of the past two years, and of the present year, give full information upon the subject.

DEAF AND DUMB ASYLUM.

The buildings of this institution, so far as any will be required for some years, are nearly completed. The main building, with the exception of the front porch, has been finished during the past year, under a very favorable contract, and the work has been well done. The appropriation of last year was short of what was asked for by the Trustees, and less than was necessary for the requirements of the institution; a debt has, therefore, been contracted of \$6,750, which is to be provided for by this Legislature. I am satisfied from my examination, that the public money has been well and economically expended. If the appropriations asked for this year, are made, there will be no necessity, for several years to come, of any considerable expenditure there beyond the ordinary expenses of supporting the institution. To avoid a great risk by fire, a slate roof ought to cover the building. I do not well see what item in the appropriations asked for can profitably be dispensed with. The sums required, are as follows:

For support of schools and repairs,	\$14,700 00
For paying indebtedness on main building,	6,750 00
For paying indebtedness on account of sewerage,	350 00
For drainage,	800 00
For fencing,	200 00
For wood-house and cellar,	1,200 00
For putting on fire proof roof,	1,000 00
Total,	<u>\$24,500 00</u>

A detailed statement is given in the report of the institution, showing the whole amount appropriated since the organization of the institution in 1852. The gross amount is \$98,000 00. Of this sum \$41,900 00 has been expended for the support of the institution, and \$56,100 for buildings and permanent improvements.

The institution is becoming in a high degree successful. The repeal of the law, at the last session, requiring a certificate of poverty to obtain access to the institution, has been very advantageous; and it has given instruction during 1859, to seventy-three pupils. The estimates for current expenses during the current year, are made with reference to the support of ninety-five inmates, including pupils, officers, and employees. The buildings are substantial, commodious, and of imposing appearance. The management of the institution, financially, and in the excellence and completeness of instruction, is worthy of public approval.

INSTITUTE FOR THE BLIND.

This institution is more prosperous than during any previous year, and is making a near approach, in usefulness, to the praiseworthy objects for which it was founded. The expenditures during the past year, have been kept within the appropriation. There is reason for renewed confidence in the management of the various interests of the institution, and the friends of education and humanity have cause for encouragement in the progress of the work of educating the unfortunate class taught there, and in the mitigation of their afflictions.

The estimates for current expenses and other purposes, reach in the aggregate \$19,200 00.

I have visited this as well as the other Public Institutions of the State, and although it might be desirable in some respects that all the improvements suggested should be made, yet I am satisfied that some portion of them can for the present be dispensed with. It is not absolutely necessary that a brick workshop for male pupils, at an estimated cost of \$4,500, should be erected at the present time. I am also satisfied that the sum of \$10,000, estimated for current expenses, is more by \$1,000 than will be required. The balance of the amount asked for, to-wit: \$18,700, ought to be appropriated.

The number of the pupils connected with the Institute at the date of the report was thirty-two. They exhibit marked evidence of improvement, and the institution under its present financial and educational management furnishes fresh evidence that it is entitled to confidence, encouragement and patronage. The Annual Report gives very full information of the order and character of the instruction, together with the by-laws of the Institution. It contains also a detail of expenditures to which attention should be given.

STATE PRISON.

The number of convicts in the State Prison on the 1st of January, 1859, was,.....	202
There were received during the year 1859,.....	95
Total number in Prison during 1859,.....	297

The number received during the year was thirty-two less than during 1858.

Number discharged on expiration of sentence,.....	84
Number pardoned,.....	29
Deaths,.....	2
	<hr/> 115
Number in Prison January 1st, 1860,.....	<hr/> 162

The amount of money expended by the Commissioner during the past year is \$50,174 38, of which the sum of \$29,701 01 was for current expenses—\$12,763 38 for old indebtedness, and \$7,625 99 for the new wall and building, and a balance of \$1,377 12 was paid over to his successor in office. The amount of indebtedness January 1st, 1860, was \$926 14, to meet which there was in hand the before mentioned sum of \$1,377 12.

There is due from the General Government the sum of \$3,480 24, which has been liquidated and will soon be paid, making in cash and assets in hand, an available balance of \$3,931 22 for the current year.

Deducting from this amount the sums contracted to be paid for stone, and materials for wall, and adding the sum to become due for keeping United States prisoners for the year 1860, and the value of stock on hand in shops, the commissioner shows a balance in favor of current expense account of \$3,326 46.

The Commissioner estimates the value of productive labor of the prisoners for the past year, including work upon the prison wall, at \$25,300 75. A large proportion of the wall has been completed, and the remainder ought to be completed as early in the season as is practicable. The report of the Commissioner will be laid before you. It is very full, and contains very many valuable suggestions, pointing towards reforms in policy, to which your attention is invited. The completion of the Prison buildings and walls at an early day, will leave a large number of laborers almost entirely unemployed, unless some steps are taken to engage the able bodied prisoners in manufacturing. They ought to be able to pay some portion of the expenses of supporting the institution.

ADJUTANT GENERAL'S REPORT.

The Report of the Adjutant General shows 55 volunteer military companies, embracing 2,365 rank and file. The returns of the enrolled militia show great neglect of duty by the assessors. From a large majority of the counties of the State no returns are made as provided by law. As this annual return is necessary, under a law of Congress, to insure the distribution of an annual quota of arms to the State, it is to be hoped that more care may hereafter be taken.

Various interesting statistics relative to the volunteer militia will be found in the Report.

GEOLOGICAL SURVEY.

The geological survey has been most satisfactorily pushed forward. Either the Commissioners in person, or by skillful

assistants, have been almost constantly in the field. Communications will be laid before you, from them, showing the progress of their work. As some strictures of a public character have been passed upon this survey, and upon the course of the Commissioners, it is eminently proper that this service should be fully examined, not only for the public benefit, but as an act of justice to the Commissioners and their assistants.

LOCAL LEGISLATION.

Two years ago, the attention of the Legislature was particularly called to the evils of excessive local legislation. It had subjected the State to great expense, without giving back in return the corresponding benefits. I deem it my duty again to invite your consideration of its evils. While it is true that during the last two sessions of the Legislature, the amount of such legislation has been far less than in previous years, and a large sum saved to the State in consequence, it is also true that the reform has not been complete. If there is in the judgment of the Legislature, a class of cases where the objects of corporations cannot be attained under general laws, that class can be specially designated in some practicable manner, and every other class precluded from consideration. A determination by the Legislature at the commencement of the session to discourage special legislation, will save much time and expense.

SWAMP LANDS.

In 1850, an act of Congress gave to the States all the unsold swamp and overflowed lands that lay within them, respectively, for certain purposes named in the law.

To determine the amount of land to which each State was entitled, the Commissioner of the Land Office submitted to the Governors of the several States two modes, one, by taking the field notes and surveys of the Government Surveyors, and adopting their returns of swamp and overflowed lands; the other, by the appointment of agents who should make examination of the lands, and make proof of their character to the satisfaction of the Land Department. Governor Dewey chose to take the lands as they were designated in the returns of the Government Surveyors. By this mode the State acquired about \$1,600,000 acres. In most of the States, these swamp lands were selected by agents appointed for that purpose. As early as 1852 or 1853, it was ascertained that by the mode of selection adopted by Governor Dewey, the State would lose from one to two millions of acres of valuable swamp and overflowed lands, and an act was passed authorizing an examination

and survey of those lands. Nothing, however, was done under that act. In 1857 another act was passed for the same purpose, under which some examinations and surveys were made, but the act provided no adequate means of paying the expense. In my message to the Legislature at its last session, I urged an amendment to the law, authorizing the expense of those surveys to be paid out of the General Fund, to be reimbursed from the Swamp Land Fund, when sales of swamp lands were made.— The amendment passed. In pursuance of the law, I caused those surveys to be vigorously prosecuted. The report of the Superintendent of those surveys, which will be laid before you, shows 1,261,187 25-100 acres of land surveyed, in a portion of the State only, and shows also over 600,000 acres of lands to which the State is entitled, in the few counties surveyed, over and above the amount received by the State under the process adopted by Gov. Dewey. From the surveys already made, it is safe to calculate that the State is entitled to at least a million and a half acres more than has been received. The price agreed to be paid to the principal superintending surveyors, after consultation with the Secretary of State, was five dollars per day, and necessary actual expenses. For the care, labor, and responsibility required, the price was low. No man, whose services are not worth that amount, in such an employment, ought to be engaged in it. The whole expense of the survey of these lands, including the survey of Islands in the Mississippi and Wisconsin rivers, is \$35,773 71, or less than two and one-half cents per acre. The lands, at the lowest estimate, are worth over a million of dollars. The only mode by which they can ever be obtained is by these surveys, pointing out the errors committed, upon which to base our claim upon the Land Department.

The Commissioner of the Land Office is disposed to withhold these lands from the State until an act of Congress can give us the relief, on the ground that Gov. Dewey chose to determine the amount belonging to the State in an unfortunate way. The evidences of these surveys are in the hands of our Senators at Washington, and the delegation from this State there will press the claims of the State, both upon the Land Department and upon Congress. The School Fund needs the avails of a portion of these lands. That Fund will not increase as rapidly as heretofore, while the number of school children is more rapidly increasing in the State, and the amount per scholar will every year decrease, while the aggregate amount of the Fund may remain the same. Of the accounts audited for expenses by the Secretary of State, I have no knowledge except that from the aggregate expenses, it appears that these

surveys have cost less than any other Government surveys ever made in the State. A rigid investigation into these audited accounts, as well as into the transactions of all the departments, is recommended.

RAILROADS.

Since the last session of the Legislature, nothing has been done by the La Crosse and Milwaukee railroad company, or by any other company representing it, toward a compliance with the act conferring the land grant upon that company. By the terms of the law turning over the grant to that company, the Legislature is authorized to declare the grant forfeited, so far as rights have not become vested. The final disposition of the vexed questions connected with this grant, is a serious subject for your consideration. I shall continue the same course that I have heretofore pursued in regard to it, unless some steps are taken by the Legislature to change the character of my duties.

I have no recommendations to make in the premises, except to suggest that in case the grant, or any portion of it, is put in the hands of a new company, it should be done upon such terms and conditions, if practicable, as will best aid and relieve the farmers and innocent stockholders of the La Crosse and Milwaukee railroad company, whose interests have become so much involved in the misfortunes of that company.

There ought to be further protection to the innocent stockholders who pay their money into railroad companies and other incorporated companies. A law should be passed authorizing the innocent and honest stockholders, to follow their money into the road or other business of the corporation, and in case it has not been honestly disposed of, to recover back the amount, each stockholder for himself, of any responsible director, or other officer of the company. It is only by some such process as this that good faith in transacting the business of incorporated companies can be secured. The first stockholders who pay their money in good faith for these public improvements, ought to be secured by a first lien on the property and franchises of the company.

CAPITOL ENLARGEMENT.

The safety of our public records, banking securities, and school fund securities, requires additional improvements about the capitol. Besides the large amount of money occasionally in the office of the State Treasurer, there are seven or eight millions of dollars of banking and other securities in the State offices.

The safety of these ought not to be jeopardized. The erection of the west wing of the capitol will furnish the relief I refer to, and also provide new, more healthy and more suitable rooms for the Senate, Bank Comptroller and Treasurer. The foundation for such a building should be laid some months before the walls are erected upon it. I recommend that an act be passed to authorize the building of the foundation for the west wing during the coming season. An appropriation of a few thousand dollars only will be required for the purpose.

RATES OF INTEREST.

I must again call attention to the law in regard to rates of interest. In my last Annual Message, I treated upon the subject somewhat at length, and endeavored to show the pernicious effects of the high rates of interest allowed by law upon the whole business of the country. I beg leave to refer you again to that Message, and to urge your examination of the subject with care. The agreement to pay unusual sums per cent. for the use of money loaned has ruined multitudes of the people of this State. The newspapers are loaded down with advertisements of sheriff's sales of property, sacrificed to pay interest. There is no branch of business that will warrant any man in paying twelve per cent. on long time for the use of money. The farmer cannot make twelve per cent. over and above his necessary expenses in carrying on his farm, from the products of his labor, upon his capital invested. So with the mechanic. The merchant cannot hire money at twelve per cent. with which to carry on mercantile pursuits. There is no branch of manufactures wherein twelve per cent. can be realized over and above the legitimate expenses involved in the business. A large rate of interest is voracious. It eats up the capital of the man who agrees to pay it. Men in debt cannot borrow themselves out by undertaking to pay beyond what they can realize. Increasing indebtedness by the accumulation of exorbitant sums paid, or agreed to be paid, for the use of money, neither lightens obligations nor increases ability.

The use of money is not worth more than can be realized out of it in some honest calling, and as a reward of well directed labor, skill or enterprise. No money that ought to stay here to be loaned, will ever be driven out of the State, simply because the rates of interest are reduced to a level with those allowed in other States. No man will ever have money to loan, who begins by borrowing in this way. Money that will not seek investment here from abroad, unless at twelve per cent., ought to be discouraged from coming. When it goes back, it takes with it more than it has earned, and calls for

sacrifices of property to make good its demands. It is better to grow slowly into competence or affluence, than to take nine chances of ruin to one of success, upon this kind of speculation. It is better that men own what they earn, though the amount or value be small, than to be temporarily surrounded by abundance, which must be all swallowed up to meet obligations. Free trade in money, as the experience of the business world has shown, enriches the speculators who loan it, and ruins those who borrow it. In a fast age, when so many seek to live without toil, and get money without paying for it, but few reach the end of the journey, either of business or life, unshattered in fortune.

The active business capital of the country is only about fifteen per cent. of cash, while the other eighty-five per cent. is faith. There is too much credit in business for safety in business. When credit is exhausted, in most cases of pecuniary distress, in active business, not over fifteen per cent. is left to fulfil promises. It is because too much is constantly paid for money that the indestructible property of the country changes hands so constantly. What is promised cannot be paid, because *too much* has been promised. When money brings twelve per cent.—and it will always bring that while the law allows it—there is more profit to the lender than to put his capital into manufactures or farms; so, less substantial wealth is produced, and more of the avails of labor taken as the price for its use.

If the people of this State cannot hire money at seven per cent., they cannot afford to pay twelve. If agricultural capital only doubles in about twenty years, and money at twelve per cent., compounded, doubles in a little over six, money has an accretive power three times greater than the producing power of the soil, out of which substantial wealth and prosperity must grow. It is useless to speculate, however, upon such a subject, when experience, the best reasoner and teacher, has proved over and over again that those who pay largely for the use of money, never have any to loan to others, and are always seeking new opportunities to borrow. When the law permits exactions they will be made. Some relief must be furnished the people against the future, either by lessening the present rates of interest, or by some law, like that of Ohio and some other States, fixing a limited value to real estate, below which it shall not be sold on execution or judgment.

The credit of the people of Wisconsin, which, from a variety of causes had been seriously and detrimentally affected, in common with that of our sister States of the west, is becoming gradually restored, and the gathered harvests of the past season

have brought an earnest of renewed prosperity. With these must come a renewed sense of justice. Payment of all legal and equitable foreign debts, without a design or thought of repudiation, as fast as the means can be produced, is a duty we owe not only to ourselves, but to the reputation of our young and vigorous State. As we would expect justice, so let us do justice.

SLAVERY.

New subjects of excitement connected with slavery and the slave trade are agitating the public mind. As a national question, that of slavery and slavery extension is foremost among the people. Slavery existed in the Colonies before the law, and before there were any State Constitutions. It was forced into some of the States, as in the case of Virginia, against the will and remonstrances of colonial citizens. The slave trade was made a matter of complaint against the mother country. It was deemed of incalculable evil to the new settlements upon the western continent. Existing, as slavery did, in all but one of the colonies, at the time of the formation of our present constitutional government, it was *tolerated* for the time being, with the idea that its existence would be, comparatively, but temporary, and that it would die out, as an institution entirely incompatible with the genius of the government, and with the great objects for which it was formed. While the increase of the number of slave states has not been correspondingly great, the increase of slavery and of the power of slavery in the government has been so great as that the slave population in the slave states is now greater than the entire population of the colonies at the time of our revolutionary controversy with Great Britain, and the whole machinery of the federal government is blocked up by its exactions. The compact made at the time of the adoption of the Constitution of the United States, that slavery should be *tolerated*, and that "persons held to service should be delivered up on claim of the party to whom service was due" has not been satisfactory to the slaveholding States. New demands have been constantly made upon the consciences of the people of the non-slaveholding States, until serious difficulties have arisen between the two sections of the Union. There is no right of interference with slavery in the Slave States by legislation in the Free States, tending to its abolition, or by citizens of the Free States through a violent intervention. But the government was formed for the declared purpose of "preserving the blessings of Liberty," among other things, and not for the purpose of extending slavery. The colonies which so urgently denounced the evils of the institution and so strongly

complained of the slave trade, now, erected into states, seek to force upon free territories the evils of a system they then deplored, by planting slavery where the Fathers of the Republic never intended it should go. Time after time compromises have been entered into, connected with and growing out of the existence of slavery, and time after time, at the demands of slavery, they have been broken down. Its exactions are intolerant. While there is no right of interference with slavery where it exists in the slave states, by free state legislation, and while there is no effort at interference with it by forcible means by citizens of the free states, with a few individual exceptions, the free states have a right to insist, and it is their duty to insist, that it shall be no farther extended. The fact that the Territories are the common property of the people of all the states carries with it no right to establish slavery there. The fact that men are held as slaves in slave states gives no right to carry them as slaves into territories, simply because they are counted as property in the slave states. The fact that slaves are called property, gives no right of property in them. Men are not recognized by the civilized world as common subjects of property. They cannot be placed in the same category as chattels, and things and estates, which are universally conceded to be subjects of ownership. Slavery in the Territories, therefore, would be without law and above the law, a mere creature of force, subject to all the contingencies of a violent existence. An institution so inhuman, so pernicious in its character, so disastrous to the interests of free labor, and terrible in its consequences to the bondmen, and so antagonistic to the great principles of human liberty that underlie our government, ought, by the exercise of every legitimate power, to be restrained from any further extension. The new and fearful doctrine, that under the Constitution of the United States, slavery goes traveling into the Free Territories of the United States, and is there, to be protected under its broad shield, without any local law on the subject in the Territories, is unworthy of the age in which we live, or of the statesmen to whose hands are entrusted the interests of this great people. It is no subject of congratulation that in this theoretically free Government an effort has been made, and is still persisted in, to establish the "right of every citizen to take his property of every kind, including slaves, into the Territories, and have it protected there under the Constitution." The idea that "neither Congress nor a Territorial Legislature, nor *any human power*, has any authority to annul or impair this vested right," is the most unwarranted of any ever conceived since the Federal Government had an existence. No good citizen can give

assent to it. No honest, enlightened statesman should countenance it for a moment. It is not true. There must be a power over slavery somewhere. It is not above the law or out of the reach of the law.

If Congress cannot prevent its extension, where does it get the power to authorize a convention to form a State Constitution prohibiting it? If a Territorial Legislature cannot prohibit it, how can it provide for the election of delegates to a Constitutional Convention, with power to make a free Constitution? It would then be unconstitutional to declare in a State Constitution, formed over a Territory, that there should be no slavery there. A Constitutional Convention, sitting to make a State Constitution, is a "human power." Is it true that slavery overrides every other great interest? That the assumed right of property in man is so old and enduring that, touched by the indurating hand of time, it can harden into a right absolute, beyond the reach of any interference but that of Omnipotence? Have we such a government that there is no power but that of Almighty God that dares to touch it? If so, this great nation must bend its neck to the yoke, and slavery become universal, and, in a government ordained by the people to preserve the blessings of Liberty, humanity must "give signs of woe that Liberty is lost." The fact that Congress has the power to prohibit slavery in the Territories, however much that doctrine may be opposed from motives of interest or ambition, notwithstanding the great weight that has been thrown into the scale against it, is as certain as that the government has power to acquire territory at all. That it cannot control what it has power to acquire by treaty, by conquest, or by purchase, is absurd. This power should be exercised, and the way of slavery extension walled up forever. The slave States have no reason to complain of this. They must be left unmolested in the enjoyment of the blessings of that peculiar institution, if there are any blessings connected with it, in the slave States, so long as the government remains. While this is conceded, the right to impose it upon new territories cannot be admitted, and its extension must be prevented, not by inroads upon the slave States themselves, with violence and in blood, but by legitimate constitutional legislation, sustained by the power of the government itself.

It cannot be conceded that the black race has no business upon the earth. We can have no controversy with the Great God over any supposed error in the location or distribution of races. There is a diversity of races. Intellect is confined to no race, while there is great inequality in intellectual development. So far as the great rights of life, liberty, and the pursuit of happiness are concerned, it is enough to know that they

belong to manhood. With the wisdom which has distinguished the different races of men by marked physical and intellectual features, we can have no dispute. But we can learn, and we do learn, from this very diversity, that each race belongs to itself alone, and that there can be no social contact or assimilation but would carry with them untold disasters.

There are other evils connected with this subject. While the African slave trade is made piracy by law, and is so condemned by the whole civilized world, deliberate attempts are constantly made to re-open it, and in frequent instances cargoes of slaves, fresh from Africa, have been landed upon our southern coasts, and the chattels scattered through the country, marketed for service upon southern plantations. This evil is more grave from the fact that it receives countenance from leading southern statesmen, and is openly proclaimed as a policy designed to be reinstated.

Again : In some of the slaveholding States, laws have been passed authorizing the sale of free blacks into slavery, and the confiscation of their property, in case they remain there after a given time mentioned in the law. The laws which prohibit the ingress of free blacks surrounding these States, render deplorable indeed the condition of that unfortunate race of men, and are a sad commentary upon the Christianity and Civilization of the age, in a land boasting of its freedom. The extension of an institution of this character, so fraught with calamities to both the white and black races, into free territories, multiplying the elements and means of oppression and wrong, ought not to be encouraged or countenanced either by the citizens of the Southern or Northern States.

Free labor languishes and becomes degrading when put in competition with slave labor, and idleness, poverty and vice, among large classes of non-slaveholders, take the place of industry, and thrift, and virtue. It prevents a general system of popular education, and ignorance abounds in the places where knowledge should be the brightest ornament of intellect.

The increase of the blacks in warm climates is far more rapid than that of the whites. Already in some of the slave States the slaves outnumber the free whites. Twenty-five years from the present time, the ordinary ratio of increase will give a slave population in the slave-holding States of nearly ten millions, at least equaling, if not superior in numbers to the free white citizens. Looking to a future in the history of States beyond that, we may well enquire what will be the condition of the Southern States and of the whole country at the end of fifty years. What can be done with twenty millions of slaves, without education, without fixed moral principles, the subjects of

whim, caprice, passion; knowing no law but the law of force, submitting to no power but the power of force; smarting under real or imaginary injuries; deeming themselves oppressed and looking every day upon their supposed oppressors; more restrained of their liberty through the fears of the masters, and subject to more rigid police surveillance, and more extreme exactions, because of multiplied dangers? What could control the wild passions of that overwhelming physical power, once aroused? So terrible a wrath, with so resistless a force, would almost inevitably lead to a war of races, more cruel, destructive, bloodthirsty, than the world ever saw before, beginning with conflict and ending with butchery. In such a war, one or the other of the two races must be destroyed. In such a contest, where would the victory be? To precisely such a result are we tending to-day. Deny it as we may, the physical laws of the races, and the climatic influences, are driving us right onward towards such a future. The sagacious statesman, gathering wisdom from the history of living as well as of the dead nations, looking forward to a probable future as he looks back at an actual past, and seeing danger to his country and institutions afar off, should devise some means of protection commensurate with the apprehended danger, by which such calamities may be avoided.

It has been well said that "it is the true mission of a superior and enlightened race to protect and establish with well founded institutions the feebler races within its influence. The general welfare requires this, and renders it the exalted duty of powerful nations. England, France and Russia, though subject to selfish monarchies, yet feel the impulse of this enlightened age; and we see the Czar giving freedom and rights to his sixty millions of serfs, and spreading civilization over all the North of Europe and Asia. England and France hold up besotted Turkey, and are endeavoring to instill life again by imparting freedom and toleration to the masses. England extends her principles of representative government, in greater or less degree, to her dependencies; and France, propagating her power in Africa and Asia, carries with it the refinement, intelligence and skill which may at some time elevate the people she civilizes in the scale of nations.

"Shall the mighty States of this hemisphere—the pioneers of the liberal principle of the greatest good to the greatest number—be known to the red and black races, struggling into existence, under liberal forms of government, in neighboring climes, suited to their caste, only as depredators and enslavers? They seem to have been committed to our guardianship by the gracious Providence that has conferred so many blessings upon us in the achievement of our own liberties. Shall we abuse the power thus conferred by establishing bondage as the law for all whom we can master?"

A remedy for these anticipated evils, and a solution of this whole slavery problem may be found in the suggestions of our early statesmen while they were casting about for this purpose, impressed as they were that the relation of master and slave was to be tolerated for the time and ultimately to die out.

It can be found by simply providing for the peaceful emigration from all the States of this Union, of all the free colored persons of African descent, who may desire to emigrate, to some place in Central or South America, in some of the States of the tropical regions, in which rights may be acquired by treaty by the United States, for that purpose, and for their benefit. It is simply that these people may go and mingle with the population already existing in those States (and a large portion of the people there is of the colored race,) where color is no degradation, and where they may mingle freely together, with all the rights of settlement and citizenship, and form themselves into colonies.

In speaking upon this proposed measure, Mr. Jefferson said: "It was, however, found that the public mind would not yet bear the proposition; yet the day is not far distant when it must bear it, and adopt it, or worse will follow. Nothing is more certainly written in the book of fate, than that these people (the negroes) are to be free; nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion, have drawn indelible lines of distinction between them. It is still in our power to direct the process of *emancipation and deportation*, and in such slow degree that the evil will wear off insensibly, and their place be *pari passu* filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up. We should in vain look for an example in the Spanish deportation or deletion of the Moors."

In a letter to Mr. Coles, Mr. Jefferson thus warns his friends in the South: "Yet the hour of emancipation is advancing in the march of time. *It will come*; and whether brought on by the generous energetic energies of our own friends, or by the bloody process of St. Domingo * * * is a leaf of our history not yet turned over."

In his letter to Mr. Sparks, he says: "The second object, and most interesting to us, as coming home to our physical and moral characters, to our happiness and safety, is to provide an asylum to which we can, by degrees, send the whole of that population from among us, and establish them under our patronage and protection, as a separate, free and independent people, in some country and climate friendly to human life and happiness."

In consideration of the commercial advantages of a free trade with such colonies, the United States could well make all necessary and proper engagements to maintain them in the enjoyment of the rights and privileges, acquired by a treaty made for the purpose of establishing them there. Here this government can do something worthy of a great nation. A way of escape would be

offered to the free blacks from renewed bondage. Inducements would be held out to philanthropic men to emancipate their slaves; the northern slave States, following the lead of the free States could quietly and gradually introduce free labor in the place of slave labor, thus adding to their wealth and honor; the great evils to be apprehended from an over crowded slave population would be avoided, and liberty prevail throughout a land universally prosperous, and under the sole dominion of the white race. The commerce of these colonies, increasing with their age and civilization, would add to our accumulating wealth and prosperity, and the wrongs of ages of oppression be blotted out from the book of remembrance forever. To this it must come sooner or later, and delay only increase the difficulties surrounding us.

To lead in invoking the attention of the whole people to this great enterprise would well become the vigorous young States of the Northwestern Territory, which have grown up under the shadow of the tree of liberty planted by Virginia.

A memorial to Congress on this subject is seriously recommended.

Peaceable and legal remedies alone can relieve us of slavery extension and slavery agitation.

The provoking riots at Harper's Ferry, which were dignified into treason against the Government of the State of Virginia, were the fit offspring of the forcible attempt to plant Slavery in Kansas and the legitimate fruits of the repeal of the Missouri Compromise.

However much we may admire brave men and heroic deeds, we can find in them no excuse for attempts by force to undo domestic evils under a government like ours. The theory of our government is, that it is one of law, not of force. There are peaceful and legal remedies by which wrongs may be redressed. Justice for the sins of nations, as for the sins of individuals, though sometimes apparently slow, is always sure as the execution of Divine Judgments. While we remain a government of banded States, good faith requires that no State, and the citizens of no State, shall interfere with the institutions of any other State. While Wisconsin will suffer no hostile invasion from any other State or the citizens thereof, so it must repress any hostile attempts upon the institutions of its sister States. The occasion of the difficulties at Harper's Ferry was signalized by crimes committed both by invaders and invaded. No matter how philanthropic or humane the motives of misguided men may have been, they committed wrongs in the eye of the law which cannot by good citizens be palliated or excused.

The disunion sentiments avowed in portions of the country, and sometimes in our Halls of National Legislation, are unpatriotic, undignified, disgraceful. Every *threat* of disunion should be held up to public reprobation in all sections of the Union, and every *attempt* at disunion rewarded with a halter. The Union of these states cannot be dissolved. It may be rocked, but cannot be overturned.—There is no conceivable contingency in which it can be consented to. A disruption, instead of relieving us from present evils, would in-

volve all sections in far greater evils. While the North asks nothing that is wrong, it will submit to no wrong, but will seek its remedy in wholesome laws, wisely enacted and firmly executed. If any state forgets its allegiance, it must be brought back. The South is entitled to be left unmolested in her domestic relations and institutions, and must be content with that; while both sections of the Union, striving to do exact justice to each other, may yet be relieved from all jealousies and heartburnings, and escape the derision of the nations of the earth.

“Faith without works is dead.” Labor, and vigilance, and honesty of purpose, devoted to the welfare of the State, and of the common country, with an earnest desire for the prosperity and happiness of the whole people, will dispel all the darkness that envelopes us, and restore the hopes of permanent prosperity. With a just pride we may then look, in the past, upon the budding, opening glory of Young America as she was, and, in the present, upon her rich ripeness as she is.

ALEX. W. RANDALL.

MADISON, Jan. 12, 1860.

On motion of Mr. Bouck, the Convention dissolved.

On motion of Mr. Horn, the Assembly adjourned.

FRIDAY, JANUARY 13th, 10 o'clock, A. M.

The Assembly met,

The Speaker in the chair.

On motion of Mr. Humann, the reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Speaker:

Mem. No. 2, A., of Milo Coles, contesting the seat of Dan-

iel C. Jenne, from Outagamie county, with accompanying papers.

To Committee on Privileges and Elections.

ACCOUNTS.

Presented and referred to Committee on Claims :

By Mr. Munn :

No. 1, the account of Benjamin Williams, Sheriff of Columbia County.

By Mr. Cobb :

No. 2, the account of H. W. Curry.

By Mr. Miller :

No. 3, the account of Hiram A. Stone.

No. 4, the account of Hiram A. Stone.

No. 5, the account of Hiram A. Stone.

And

No. 6, the account of Hiram A. Stone.

By Mr. Fairchild :

No. 7, the account of Andrew Bishop.

RESOLUTIONS INTRODUCED.

By Mr. Patchin :

Res. No. 6, A.,

Resolved, That the Superintendent of Public Property furnish each Member of the Assembly with postage stamps to the amount of five dollars ; three dollars of said amount to be in three cent, and two dollars in one cent stamps.

On motion of Mr. Elmore, the rules were suspended, and the resolution adopted.

By Mr. Bugh :

Res. No. 7, A.,

Resolved, That a Select Committee of five be appointed by the Speaker, whose duty it shall be to ascertain and report—

First, The amount of work done under the contract for State Printing now in force, specifying the amount of each class.

Second, The amount which the State would be liable to pay for the work so done under a proper construction of the existing contract.

Third, The amount audited by the Secretary of State in favor of the party holding the contract for the State Printing,

from the date said contract took effect to the first day of January, 1860.

Fourth. The amount paid by the State for work done under said contract prior to the first of January, 1860.

Fifth. The amount claimed to be due under said contract which has not been audited, and that the Secretary of State be, and is hereby directed to furnish to the committee copies of the various accounts and sums audited during the past year, together with the specimens of printing accompanying said accounts filed in his office, and also that the committee be authorized to employ a competent practical printer to aid them in the discharge of their duties ;

Which lies over.

By Mr. Fairchild :

Res. No. 8, A.,

Resolved, That the Speaker be requested and authorized to invite the resident clergymen of Madison to officiate alternately as chaplains of the Assembly during the present session ;

Which lies over.

By Mr. Miller :

Res. No. 9, A.,

Resolved, That the Chief Clerk of this House is hereby requested to prepare a new edition of the Blue Book, for the Legislature of 1860 ;

That 1,000 copies thereof be printed by the State Printer ;

That 3 copies be delivered to each member of this Legislature, and 2 copies to each officer thereof ;

That each State officer be furnished with a copy ;

And that the remainder be delivered to the Superintendent of Public Property for the use of the Legislature of 1861, or further disposal by this Assembly ;

Which lies over.

By Mr. Ruan :

J. Res. No. 4, A.,

Resolved, by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to oppose any attempt which may be made in Congress to change or modify the naturalization laws so as to extend term of residence required to enable emigrants to become citizens of the United States ;

Which lies over.

By Mr. Boyd :

Res. No. 10, A.,

Resolved, That the Superintendent of Public Property be

directed to furnish each member of this Assembly with a copy of the Assembly and Senate Journals of the year 1859;

Which lies over.

By Mr. Keogh :

Res. No. 11, A.,

Resolved, That the members of this Assembly be furnished with the same number of newspapers as were the members of the previous Assembly, to wit: 7 dailies, or 49 weeklies; and that no member be entitled to a greater number at the expense of the State;

Which lies over.

By Mr. Ruan :

Res. No. 12, A.,

Resolved, That Mr. Dockry be permitted to have his desk removed convenient to the Speaker, on account of being hard of hearing :

Which resolution being of a privileged character,

The question was taken, and

The resolution adopted.

By Mr. Goodwin :

J. Res. No. 5, A.,

Resolved, by the Assembly the Senate concurring, That a Joint Special Committee of five, three from the Assembly, and two from the Senate, be appointed to investigate the matter of public printing, and that said Committee have power to appoint a clerk, and to consult with counsel, if by said Committee deemed advisable, without however incurring expense therefor to the State, to examine persons under oath, and said Committee are hereby instructed to examine and report upon all facts concerning the public printing; the contract for doing the same, and such laws as are in force on the subject; to ascertain and report what rule of computation the public printer claims, whether such rule is in conformity with the law and the contract, and also to examine and report upon such other matters appertaining to the public printing as said Committee may deem important, with a view to acquaint the Legislature of what, if any, legislation is necessary to protect the interests of the State and the rights of individuals. Said Committee is further instructed to report by bill or otherwise, at as early a day as convenient;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Whittlesey :

No. 5, A., a bill for an act to amend Chap. 22 of the General Laws of 1859, entitled " An act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

To Committee on the Judiciary.

By Mr. Kiefer :

No. 6, A., a bill for an act to repeal Section 47 of Chap. 167 of the General Laws of 1859, entitled " Of the assessment and collection of taxes ;"

To Committee on the Judiciary.

By Mr. Goodwin :

No. 7, A., a bill for an act to amend Chap. 134 of the Revised Statutes entitled " Of executions and proceedings supplementary thereto ;"

To Committee on the Judiciary.

By Mr. Bouck :

No. 8, A., a bill for an act to reduce the capital stock of the Bank of Oshkosh ;"

To Committee on Banks and Banking.

By Mr. Palmer :

No. 9, A., a bill to authorize the Green Bay Bank to reduce its capital, and remove its place of business ;

To Committee on Banks and Banking.

By Mr. Elmore :

No. 10, A., a bill for an act to authorize the Forest City Bank, and the Shawanaw Bank, to reduce their capital ;

To Committee on Banks and Banking.

By Mr. Whittlesey :

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas County ;

To Committee on the Judiciary.

By Mr. Neville :

No. 12, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion to the several wards and towns of Brown County its share of the State School Fund for 1860 ;

To Committee on Education.

By Mr. Elmore :

No. 13, A., a bill for an act to amend an act entitled " An

act to incorporate the Milwaukee & Beloit Railroad Company," approved March 29, 1855 ;

To Committee on Railroads.

By Mr. Palmer :

No. 14, A., a bill to authorize persons having a lien upon land to pay the taxes upon the same ;

To Committee on the Judiciary.

By Mr. Mulholland :

No. 15, A., a bill to revive a portion of Chap. 19 of the Revised Statutes of 1849, entitled "Of Common Schools" ;

To Committee on Education.

On motion of Mr. Judd,

Leave of absence was granted to Mr. Lewis for two days.

On motion of Mr. Horn,

The Assembly adjourned.

SATURDAY, JANUARY, 14th, 10 o'clock A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Boyd, the reading of the Journal of yesterday was dispensed with.

Mr. Whittlesey stated that, on the 11th inst., he had voted for Joseph Gates for Sergeant-at-Arms, which did not appear on the records.

The Speaker then announced the following as the

STANDING COMMITTEES OF THE ASSEMBLY.

On the Judiciary.—Messrs. Cobb, Ordway, Bartlett, Bouck and Palmer.

On Ways and Means.—Messrs. Judd, Stannard, Barden, Cole and Bow.

- On Education, and School and University Lands.*—Messrs. Holton, Blackman, Childs, Meigs and Patchin.
- On Incorporations.*—Messrs. Bunn, Young, Lewis, Horton and Grover.
- On Railroads.*—Messrs. Wheeler, Upson, VanderCook, Moore, Hayden, Bouck, Munn, Elmore and Fairchild.
- On Internal Improvements.*—Messrs. Jenne, Brooks, Golden, Munn and Kiefer.
- On Roads, Bridges and Ferries.*—Messrs. Hammarquist, Baldwin, Ballantine, Burt and Hunkins.
- On Town and County Organization.*—Messrs. Dickson, Bugh, McMichael, Green and Simpson.
- On the Militia.*—Messrs. Horn, Wheeler, Fairchild, Barnum and Cobb.
- On Privileges and Elections.*—Messrs. Bugh, Bunn, Rogers, Neville and Sutton.
- On Agriculture and Manufactures.*—Messrs. Bettis, Whiting, Sumner, Westby and Jackson.
- On Expiration and Re-enactment of Laws.*—Messrs. Moore, Nash, Stannard, Hesk and Bachuber.
- On Legislative Expenditures.*—Messrs. Rogers, Spottswood, Golden, Lewis and Dockry.
- On State Affairs.*—Messrs. Farwell, Robertson, Mitchell, Neville and Schmidtner.
- On Contingent Expenses.*—Messrs. Young, Jenne, Ballantine, Howland and Ahlhauser.
- On Engrossed Bills.*—Messrs. Howland, Goodwin, Child, Humann and Mackay.
- On Enrolled Bills.*—Messrs. Miller, Wood, Wescott, Brooks and Keogh.
- On State Lands.*—Messrs. McMichael, Alden, Vander Cook, Ruan and Humann.
- On Mining and Smelting.*—Messrs. Clise, Spottswood, Whittlesey, Beath and Townsend.
- On Charitable and Religious Societies.*—Messrs. De Wolf, Johnson, Judd, Kingsbury and Winter.
- On State Prison.*—Messrs. Alden, Blackman, Miller, Horn and Rankin.
- On Medical Societies and Colleges.*—Messrs. Blackman, Fischer, Phillips, Miller and Judd.
- On Banks and Banking.*—Messrs. Griswold, Bovay, Nash, Altenhofen and Palmer.
- On Federal Relations.*—Messrs. Bartlett, Fischer, Holton, Boyd and Mulholland.
- On Swamp and Overflowed Lands.*—Messrs. Whittlesey, Phillips, Barnum, Wiley and Hunkins.

Joint Committee on Claims.—Messrs. Smith, McKay, Weage, Griffen and Cole.

Joint Committee for Investigation.—Messrs. Bovay and Elmore.

Joint Committee on Printing.—Messrs. Goodwin, Langland and Seaton.

Mr. Mitchell asked leave of absence until Monday next ;
Which was granted.

Mr. Weage asked leave of absence for Mr. Holton until Monday next ;

Which was granted.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Patchin :

Mem. C. No. 1, A., for a Mail Route from Waupacca to Shawanaw ;

To Committee on State Affairs.

By Mr. Whittlesey :

Mem. No. 3, A., from the citizens of Douglas county, relative to the laying out of a State road.

To Committee on Roads, Bridges and Ferries.

By Mr. DeWolf :

Mem. No. 4, A., of citizens of Walworth county for an amendment to the Common School Law ;

To Committee on Education.

By Mr. Kiefer :

Mem. C. No. 2, A., for a Mail Route from Schleisingerville, in the county of Washington, to the village of Crouchville, in the county of Fond du Lac ;

To Committee on State Affairs.

By Mr. McMichael :

Mem. No. 5, A., of Supervisors of Bad Ax county, relative to County Commissioners ;

To Committee on Town and County Organization.

By Mr. Whittlesey :

Mem. No. 6, A., from the Board of Supervisors of St. Croix county, relative to an act authorizing said Board to establish a road therein named, and to appropriate money therefor ;

To Committee on Roads, Bridges and Ferries.

By Mr. Jackson :

Mem. No. 7, A., from citizens of Richland county, for modification of the laws regulating Insurance Companies;
To Committee on the Judiciary.

By Mr. McMichael :

Mem. No. 8, A., of Supervisors of Bad Ax County, relative to assessment law;
To Committee on the Judiciary.

By Mr. Judd :

Mem. No. 9, A., of Robert E. Jones, praying for an appropriation for translation of the Constitution of the United States and of this State into the Welsh language;
To Committee on Ways and Means.

ACCOUNTS.

Presented and referred to the Committee on Claims :

By Mr. Elmore :

No. 8, the account of G. Bouck, for disbursements as Attorney General;

By Mr. Fairchild :

No. 9, the account of J. K. Averill,

By Mr. Sumner :

No. 10, the account of E. Martin, Sheriff of Sauk county.

RESOLUTIONS INTRODUCED.

By Mr. Bouck :

Res. No. 13, A.,

Resolved, That Milo Cole, contesting the seat of Daniel O. Jenne, and Mitchell L. Delaney, contesting the seat of Matthias Altenhofen, be entitled to the privilege of the Assembly until their respective cases are decided ;

Which resolution, being of a privileged character, the question was taken,

And the resolution adopted.

By Mr. DeWolf :

Res. No. 14, A.,

Resolved, That all appropriations for the Members of the present Legislature shall include and apply equally to the Chief Clerk and Sergeant-at-Arms ;

Which lies over.

By Mr. Ruan :
Res. No. 15, A.,

Whereas, The ordinary courtesy of the Assembly has been already abused by the intrusion of pickpockets and thieves upon the floor of the Assembly Chamber,

Resolved, That the Sergeant-at-Arms is hereby directed to admit no person to the floor of the Assembly, at any time, except Members and Officers of the Legislature, State Officers and Reporters, and persons introduced by them ;

Which lies over.

By Mr. Bovay :
Res. No. 16, A.,

Resolved, That so much of the Governor's Message as treats of the School and University Fund and of Common Schools, be referred to the Committee on Education, School and University Lands ; so much as treats of Swamp Lands and the Swamp Land Fund, to the Committee on Swamp and Overflowed Lands ; that part which treats of Valuation and Assessments, of Statistics, of Charitable Institutions, of the State Reform School, and of the Enlargement of the Capitol, to the Committee on State Affairs ; that portion which treats of the State Prison, to the Committee on the State Prison ; that portion which relates to the Report of the Adjutant General, to the Committee on the Militia ; that portion which relates to the Geological Survey, to the Joint Committee on Investigation ; that part which relates to local legislation and to the rates of interest, to the Committee on the Judiciary ; that portion which relates to Railroads, to the Committee on Railroads ; and that part which treats of Slavery, to the Committee on Federal Relations ;

Which lies over.

By Mr. Horn :
J. Res. No. 6, A.,

Whereas, By a decision of the Supreme Court of this State it appears that a law of Congress, declared by the Supreme Court of the United States to be constitutional, and under which S. M. Booth was sentenced to a fine by the District Court of the United States for the District of Wisconsin has virtually been nullified ; and

Whereas, Two opinions have been given in said case by the Judges of the Supreme Court of this State, differing as light from darkness ; Therefore,

Resolved, by the Senate and Assembly of the State of Wisconsin, That the opinion of Chief Justice Dixon lately rendered in said case, commends itself to the approval of every pa-

triotic and law-abiding citizen of the United States, and has created for him a name throughout this Union as an able, sound jurist and impartial judge, upon which he may well be proud and despise the malignant attacks of the ultra abolitionists and their organs of this and other States, who, as it seems, desire the Judges of the country to decide this and similar cases according to their political platform or the so called "higher law."

Resolved, That the Secretary of State shall send a certified copy of these resolutions to Chief Justice Dixon as a mark of esteem and respect entertained for him by this Legislature;

Which Mr. Horn desired printed, but subsequently requested its reference to the Committee on the Judiciary;

And it was so ordered.

On motion of Mr. Wheeler,

Mr. Dickson was granted leave of absence until Tuesday next.

RESOLUTIONS CONSIDERED.

J. Res. Nos. 2 and 5, A., and Res. Nos. 4, 7 and 8, A.,
Were, on debate being intimated, laid over.

J. Res. No. 4, A.,

Introduced by Mr. Ruan yesterday,

Objecting to any change in the Naturalization laws;

Was referred to the Committee on Federal Relations.

Res. No. 9, A.,

Providing for issuing and distributing a new edition of the Blue Book,

Introduced by Mr. Miller yesterday;

Was adopted.

Res. No. 10, A.,

Furnishing Journals of 1859 to members,

Introduced by Mr. Boyd yesterday;

Mr. Elmore moved to amend by adding "and the volume of Laws in relation to Banking;"

Which was agreed to,

And the resolution as amended was adopted.

Res. No. 11, A.,

Furnishing members with newspapers,

Introduced by Mr. Keogh yesterday,

Mr. Howland offered the following as a substitute:

"*Resolved*, That six dollars in money be appropriated to each member of the Assembly, in addition to his mileage and per diem, for the purpose of purchasing newspapers, and that

no further appropriation be made for newspapers during the present term ;”

Debate being intimated,

On motion of Mr. Elmore,

The rules were suspended for the purpose of considering said resolution.

The question recurring on the adoption of the amendment offered by Mr. Howland,

Mr. Humann called for the ayes and noes ;

Which motion did not prevail.

On motion of Mr. Horn, said resolution, and the subject matter connected therewith, were referred to the Committee on Printing.

BILLS, &c.

Introduced on leave granted, read first and second times, and referred.

By Mr. Jackson :

No. 16, A., a bill for an act to change the time of holding courts in the county of Richland, in the fifth Judicial Circuit ;
To Committee on the Judiciary.

By Mr. Neville :

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin ;
To Committee on the Judiciary.

By Mr. Young :

No. 18, A., a bill for an act to amend section 58, of chapter 19 of the Revised Statutes, entitled “Of Highways and Bridges ;”

To Committee on Roads, Bridges and Ferries.

By Mr. Weage :

No. 19, A., a bill for an act to incorporate School District No. 3, in the town of Burlington, Racine County ;
To Committee on Education.

By Mr. Munn :

No. 20, A., a bill for an act to amend chapter 8, of the General Laws of 1859, entitled “an act in relation to the publication of legal notices ;”

To Committee on the Judiciary.

Also,

No. 21, A., a bill for an act to amend section 217, in chapter 12, of the Revised Statutes, entitled “Of Courts held by Justices of the Peace :”

To Committee on the Judiciary.

By Mr. J. J. McKay:

No. 22, A., a bill for an act to legalize the organization of Joint School District No. 2, in the towns of Adrian and Tomah, in the county of Monroe:

To Committee on the Judiciary.

By Mr. Horn:

No. 23, A., a bill for an act to provide for the holding of special terms of the Circuit Court for the counties of Ozaukee and Washington;

To Committee on the Judiciary.

Also,

No. 24, A., a bill for an act to repeal Sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61, of Chap. 158, of the Revised Statutes, entitled "of the writ of *habeas corpus* relative to fugitive slaves ;"

To Committee on the Judiciary.

By Mr. Bouck:

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new articles of association, and continue the banking business ;

To Committee on the Judiciary.

By Mr. Sumner:

No. 26, A., a bill for an act authorizing Timothy Kirk to establish and maintain a ferry across the Mississippi river ;

To Committee on Roads, Bridges and Ferries.

By Mr. Elmore:

No. 27, A., a bill for an act to amend Chap. 185, of the General Laws of 1859, being an act entitled "an act to construe Chapter 20, of the Revised Statutes, entitled 'of regulating fences ;' "

On motion of Mr. Elmore,

The rules were suspended, and

No. 27, A.,

Was read a third time and passed.

By Mr. Bartlett:

No. 28, A., a bill for an act to authorize the laying out of a State Road from Eau Claire, in Eau Claire county, to Monomanie, in Dunn county ;

To Committee on Roads, Bridges and Ferries.

By Mr. Patchin:

No. 29, A., a bill for an act to amend Chap. 120, of the Revised Statutes, entitled "of courts held by Justices of the Peace ;"

To Committee on the Judiciary.

By Mr. Whittlesey :

No. 30, A., a bill for an act authorizing the County Board of St. Croix county to lay out a Road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named ;

To Committee on Roads, Bridges and Ferries.

By Mr. Elmore :

No. 31, A., a bill for an act to amend subdivision 4, of Sec. 38, of Chap. 6, of the Revised Statutes, entitled " of the public printing, and of the publication and distribution of Statutes, and other public documents ;"

To Committee on the Judiciary.

MESSAGE FROM THE SENATE,

By John H. Warren, Esq., Chief Clerk thereof.

Mr. SPEAKER :

I am directed to inform you that the Senate has passed

No. 6, S., a bill in relation to the assessment, levy and collection of taxes in Sheboygan County for the year 1859 ;

And also,

J. Res. No. 1, S., adopting the Joint Rules of the Senate and Assembly until otherwise ordered ;

In which the concurrence of the Assembly is requested.

The Senate has concurred in the passage of

J. Res. No. 2, A., providing for a Joint Convention to hear the Governor's Message.

SENATE MESSAGE TAKEN UP.

J. Res. No. 1, S., adopting the Joint Rules of the Senate and Assembly,

Was read and concurred in.

Bill No. 6, S., a bill in relation to the assessment, levy and collection of taxes in Sheboygan County,

Was read first and second times.

On motion of Mr. Rogers,

The rules were suspended,

The bill read a third time and passed by the following vote :

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clize, Cobb, Cole, DeWolf, Dockry, Elmore, Fairchild, Farwell, Fisher, Green, Griffin, Griswold, Grover,

Hammarquist, Henk, Horn, Horton, Howland, Humann, Jackson, Jenne, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, J. J. McKay, T. C. L. Mackay, McMichael, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Vander Cook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young, Mr. Speaker—82.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber—3.

And the title agreed to.

On motion of Mr. Bouck,

The Assembly adjourned.

MONDAY, JANUARY 16th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Griswold, the reading of the journal of Saturday, was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Wood:

Mem. No. 10, A., of the county board of supervisors of the county of Adams, that the fees allowed by law to printers for advertising tax sales on delinquent lands, be reduced to ten cents;

Mem. No. 11, A., in regard to counties retaining tax certificates in the treasury;

Also,

Mem. No. 12, A., for the repeal of section 4, of chapter 188, of General laws of 1858, entitled "An act to amend an act entitled an act to amend chapter 19 of the Revised Statutes, and to compile the School Laws of Wisconsin, approved April 1, 1854;"

Which were severally referred to Committee on the Judiciary.

By Mr. Bugh:

Mem. No. 13, A., in] reference to the drainage fund of the county of Waushara;

To Committee on Swamp and Overflowed Lands.

By Mr. Rogers:

Mem. 14, A., of William Brendemuhl and 73 others, for the alteration of the law so that they may fish with nets in the Silver Lake, town of Abbott and county of Sheboygan;

To Committee on Internal Improvements.

By Mr. Jenne:

Mem. No. 15, A., of citizens of the town of Freedom, in Outagamie county, to extend the time for payment of taxes in said town;

To Committee on the Judiciary.

By Mr. Bunn :

Mem. No. 16, A., from citizens of Jackson County, for an act to declare Hall or Pine Creek in said county a navigable stream ;

To Committee on Ways and Means.

By Mr. Cobb :

Mem. No. 17, A., of John Hollingshead and others, relative to Insurance Companies:

To Committee on the Judiciary.

RESOLUTIONS INTRODUCED.

By Mr. Bouck :

Res. No. 17, A.,

Resolved, That the Judiciary Committee is requested to report to this body whether the recent decision made by the Supreme Court, in the case of Knowlton against the Board of Supervisors of Rock County, renders it necessary to change the law concerning taxes upon Banks and Railroads :

Which lies over.

By Mr. Wheeler :

Res. No. 18, A.,

Resolved, That the Superintendent of Public Property be

directed to furnish each member of this Assembly with a copy of the local laws of 1859 :

Which lies over.

By Mr. Smith :

Res. No. 19, A.,

Resolved, That the Assembly Postmaster be and is hereby directed to take no newspaper from the Madison Post Office for any Member of this Assembly, unless ordered by said Member at his own proper cost and charges ;

Which lies over.

By Mr. Bartlett :

Res. No. 20, A.,

Resolved, That 4,000 copies of the Governor's Message be printed in pamphlet form by the State Printer ; 3,000 copies in the German language, by the publisher of the Milwaukee *Atlas* ; 3,000 copies in the Norwegian language, by the publisher of the *Emigranten*, at Madison ; 2,000 copies in the Welsh language, by John Jones, of La Fayette county ; 1,000 copies in the Holland language, by the publishers of the *Nieuwsbode*, at Sheboygan, for the use of the Assembly ;

Which lies over.

By Mr. DeWolf :

Res. No. 21, A.,

Resolved, That the Sergeant-at-Arms be authorized to order such amount of stationery and fixtures as are necessary for the Post Office department of this House ;

Which lies over.

By Mr. Elmore :

Res. No. 22, A.,

Resolved, That a select committee of five be appointed, to whom is hereby specially referred the question of the assessment and collection of taxes, with instructions to report at as early a day as practicable by bill ;

Which lies over.

By Mr. Fairchild :

Res. No. 23, A.,

Resolved, That the free use of the Assembly Hall for Wednesday evening next, is hereby tendered to Gen. Eberhard Welter, late of the New York Volunteers, for the purpose of delivering a lecture on the past, present, and future condition of Mexico :

On motion of Mr. Horn,

The rules were suspended for the purpose of considering said resolution.

The question occurring on the adoption of the resolution,
It was lost.

By Mr. Munn:

Res. No. 24, A.,

WHEREAS, by chapter 122, of the General Laws of 1856, entitled, "an act to grant certain lands to the LaCrosse and Milwaukee Railroad Company, and to execute a trust created by an act of Congress, entitled 'an act granting public lands to the State of Wisconsin to aid in the construction of Railroads in said State, approved June 3d, 1856,'" said LaCrosse and Milwaukee R. R. Company was authorized and empowered to survey, locate, construct and complete a railroad from the city of Madison, in the county of Dane, and from the village of Columbus, in the county of Columbia, by way of Portage City, to the St. Croix river, and thence to the west end of Lake Superior and Bayfield, and for the purpose of aiding said Company in the construction of said roads, there was granted to the said Company, upon certain conditions, all the interest and estate, present and prospective, of this state, in and to all the lands granted to the State of Wisconsin for the purpose aforesaid; and

Whereas, it was provided, among other things, in said act, and agreed to by said Company, that said roads from Madison to Portage City, and from Columbus to Portage City, should be completed by the last day of December, 1858; and

Whereas, neither said LaCrosse and Milwaukee Railroad Company, nor any other Company representing it, has built said roads from Madison and Columbus, to Portage City, or complied with other important provisions of the act conferring the land grant; and

Whereas, by the terms of the law turning over the grant to that Company, the Legislature is authorized to declare the grant forfeited so far as rights have not become vested, therefore

Resolved, That the Committee on Railroads be and are hereby instructed to report what action, in their judgment, is necessary to be taken by the Legislature to secure the early completion of said roads, as contemplated by the act of Congress granting said lands:

Which lies over.

By Mr. Boyay:

Res. No. 25, A.,

Resolved, that Mitchel L. Delaney contesting the seat of Mr. Altenhofen, be and he is hereby allowed to appear before the Committee on Privileges and Elections by counsel, and that

the same privilege be extended to Mr. Altenhofen the sitting member;

Which the Speaker stated was of a privileged character, and would be considered under the head of business next in order.

RESOLUTIONS CONSIDERED.

J. Res. No. 2, A.,

Furnishing newspapers in the State with a copy of daily slips.

Introduced by Mr. Munn, on the 12th inst.,

Was referred to the Committee on Printing.

J. Res. No. 5, A.,

Providing for a Committee to investigate the matter of the Public Printing,

Introduced by Mr. Goodwin, on the 13th inst.;

Was, on motion of Mr. Bouck,

Referred to the Committee on Printing.

Res. No. 4, A.,

Requesting Committees to introduce appropriation bills,

Introduced by Mr. Griswold, on the 12th inst.

Mr. Horn moved to strike out the words "of the present session," and insert "after the usual annual visit by the Assembly Committees;"

Which was agreed to,

Mr. Bartlett moved to amend by adding: "and that the several Committees be required to make their usual annual visits within fifteen days;"

Which was agreed to.

And the resolution, as amended, was adopted.

Res. No. 7, A.,

Appointing a Committee to inquire relative to the Public Printing,

Introduced by Mr. Bugh, on the 13th inst.,

Was, on motion of Mr. Bouck,

Referred to the Committee on Printing.

Res. No. 14, A.,

Including Chief Clerk and Sergeant-at-Arms in appropriations,

Introduced by Mr. DeWolf, on Saturday,

Was, on motion of Mr. Elmore,

Postponed until to-morrow.

Res. No. 15, A.,

Directing Sergeant-at-Arms to exclude certain persons from the Assembly Chamber,

Introduced by Mr. Ruan, on the 14th inst.,
Was adopted.

Res. No. 16, A.,

Referring Governor's Message to appropriate Committees,
Introduced by Mr. Bovay, on the 14th inst.,
On motion of Mr. Elmore,

The further consideration thereof was postponed until to-morrow.

Res. No. 25, A.,

Allowing parties contesting seats, the privilege of appearing
by counsel before the Committee,

Introduced by Mr. Bovay, this morning,
Was adopted.

Res. No. 8, A.,

Relating to Chaplains,

Introduced by Mr. Fairchild on the 18th.

Mr. Schmidtner moved to refer the Resolution to the Committee on the Judiciary ;

Which was lost.

Mr. Horn moved to lay the Resolution on the table.

The ayes and noes being called and ordered upon that motion,

The Assembly refused to lay the Resolution on the table by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bovay, Boyd, Bunn, Cole, Dockry, Elmore, Green, Hammarquist, Hesk, Horn, Humann, Kiefer, Kingsbury, Mackay, Mulholland, Neville, Patchin, Rankin, Robertson, Ruan, Schmidtner, Sutton, VanderCook, Wescott, Wheeler and Winter—29.

Those who voted in the negative were

Messrs. Alden, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bow, Brooks, Bugh, Burt, Child, Clise, Cobb, DeWolf, Fairchild, Farwell, Griffin, Griswold, Grover, Horton, Howland, Jackson, Jenne, Johnson, Judd, Keogh, Langland, McKay, McMichael, Miller, Munn, Nash, Ordway, Phillips, Rogers, Seaton, Simpson, Smith, Spottswood, Standard, Sumner, Townsend, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—52.

Mr. Rankin offered the following amendment:

Amend the Resolution by adding the following proviso:

"*Provided*, That no clergyman so officiating shall receive any compensation for his services."

Which was lost.

Mr. Schmidtner, offered the following amendment:

Amend the resolution by adding—

“The members being of different confessions, the prayers to be advocated or performed by the Assembly and the clergyman in silence.”

Which was lost.

Mr. Neville moved to amend by adding—

“And that the said clergymen be paid the sum of five hundred dollars for their services.”

Mr. Miller moved to amend the amendment by striking out “five hundred dollars,” and inserting “twenty-five dollars each;”

Which was lost.

Mr. Judd moved to amend Mr. Neville’s amendment by striking out all after the word “paid,” and inserting, “for such services, two dollars and fifty cents for each day they shall respectively attend.”

The ayes and noes being called and ordered

It was disagreed to, by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Barnum, Child, Cobb, Fairchild, Golden, Griffen, Grover, Jenne, Johnson, Judd, Keogh, McMichael, Nash, Ordway, Phillips, Ruan, Seaton, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, and Wood—25.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Balantine, Barden, Bartlett, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Clise, DeWolf, Dockry, Elmore, Green, Griswold, Hammarquist, Hesk, Horn, Horton, Howland, Humann, Jackson, Kiefer, Kingsbury, Langland, Mackay, McKay, Meigs, Miller, Moore, Mulholland, Munn, Neville, Patchin, Rankin, Robertson, Rogers, Schmitdner, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Vander Cook, Wescott, Winter, Young, and Mr. Speaker—55.

Mr. Bovay then moved to amend the amendment by striking out “\$500,” and inserting “\$100 in the aggregate;”

Which was adopted.

The question was then taken on Mr. Neville’s amendment, as amended by Mr. Bovay’s amendment, and

It was lost.

Mr. Schmitdner then moved to amend by adding the following proviso—

Provided, That no extra compensation will be granted by the present Legislature, during the session;

Which was lost.

The morning hour having expired,

On motion of Mr. Elmore,

The Rules were suspended for the further consideration of the resolution,

The question being on the adoption of the resolution:

Mr. Horn moved to amend by adding,

"And that for each prayer so performed the sum of one dollar be paid on the certificate of the Clerk or Speaker."

Mr. Humann moved to amend the amendment of Mr. Horn by striking out all after the words "and that," and inserting "the services for said prayers shall be paid for by voluntary subscription."

Mr. Horn moved to lay Mr. Humann's amendment on the table;

Which motion, a division being called, was lost—ayes 37, noes 47.

Mr. Humann's amendment was then rejected.

Mr. Horn's amendment was then rejected.

Mr. Bovay then submitted the following amendment:

Add the following: "*Provided*, That such clergymen, so officiating shall receive \$150 in the aggregate."

The ayes and noes being called and ordered upon Mr. Bovay's amendment,

It was lost by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bartlett, Bettis, Beath, Blackman, Bovay, Brooks, Child, Cobb, DeWolf, Fairchild, Golden, Griffin, Grover, Hammarquist, Horton, Jenne, Langland, McKay, McMichael, Miller, Munn, Ordway, Phillips, Robertson, Schmitdner, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Wescott, Whittlesey, Wood, Young—36.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bouck, Bow, Boyd, Bugh, Bunn, Burt, Clise, Cole, Dockry, Elmore, Green, Griswold, Hesk, Horn, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Moore, Mulholland, Nash, Neville, Patchin, Rankin, Rogers, Ruan, Seaton, Simpson, Sutton, Townsed, VanderCook, Weage, Wheeler, Whiting, Winter, Mr. Speaker—49.

Mr. Neville then offered the following amendment:

Add to the resolution the following: "and that the clergymen of the city of Green Bay be also invited to attend, and that twenty-five dollars be paid to each of them—and their expenses in addition thereto."

Mr. Horn moved to amend by adding after the words "Green Bay," the words "Cedarburg and Manitowoc;"

Which was agreed to, and

The question recurring upon Mr. Neville's amendment as amended,

Mr. Bugh demanded the previous question,
Which the Assembly refused to order.

The question was then taken upon Mr. Neville's amendment as amended,

And it was lost.

Mr. Wheeler then offered the following substitute :

Resolved, That the officiating clergyman of the weak Baptist Church of the City of Madison be invited to officiate as Chaplain of this Assembly, and that the sum of two dollars and fifty cents per day be appropriated for his services in that capacity;

Which, upon a division, was lost—ayes 28, noes 43.

Mr. Townsend then offered the following amendment :

Add the following : "and that they receive no compensation for their services ;"

Which, upon a division, was lost—ayes 28, noes 44.

Mr. VanderCook moved to amend by adding :

"*Provided*, That the clergyman so officiating shall receive the sum of \$100 in the aggregate for such services ;"

Which was ruled out of order.

Mr. Horn moved to postpone the whole matter for one week;

Which was lost.

Mr. Boyd moved to refer the whole matter to the Committee on the Militia ;

Which the Assembly refused to do.

Mr. Seaton moved to amend by adding :

"*Provided*, That such clergymen shall each receive for their services during the session, the sum of fifty dollars ;"

Which was lost.

Mr. VanderCook then moved to amend by adding

"And provided the Clergymen so officiating shall receive the sum of \$125, in the aggregate for their services" ;

Which amendment, upon a division, was adopted—ayes 35, noes 30.

Mr. Neville moved to amend the amended Resolution by striking out the word "Madison," and inserting the words "State at large" ;

Which was lost.

The Resolution as amended was then adopted, as follows :
Res. No. 8, A.,

Resolved, That the Speaker be requested to invite the resident Clergymen of Madison to officiate alternately as Chaplain of the Assembly, during the present session : *Provided*, The Clergymen so officiating shall receive the sum of \$125, in the aggregate, for their services ;

And by the following vote :

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Brooks, Child, Clise, Cobb, Fairchild, Farwell, Golden, Griffin, Grover, Hammarquist, Horton, Jackson, Jenne, Johnson, Judd, Keogh, Langland, McKay, McMichael, Miller, Munn, Nash, Ordway, Phillips, Robertson, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—51.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Barden, Bow, Boyd, Bugh, Bunn, Burt, Cole, DeWolf, Dockry, Elmore, Green, Griswold, Hesk, Horn, Howland, Humann, Kiefer, Kingsbury, Mackay, Meigs, Moore, Mulholland, Neville, Patchin, Rankin, Rogers, Schmidtner, Sutton, Townsend, Whiting and Winter—35.

On leave the following

ACCOUNTS

Were presented and referred to Committee on Claims,

By Mr. Clise:

No. 11, the account of Wm. H. Foster, sheriff of Grant county.

By Mr. Fairchild:

No. 12, the account of Orton & Bryant.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Phillips:

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins;

To Committee on the Judiciary.

Also,

No. 33, A., a bill for an act to lay out a state road from Eau Plain to Eau Claire;

To Committee on Roads, Bridges and Ferries.

By Mr. Cobb:

No. 34, A., a bill for an act to repeal chapter 136 of the Revised Statutes, entitled "Of writs of process;"

To Committee on the Judiciary.

By Mr. Clise:

No. 35, A., a bill to change the name of Lucy Bell, and to establish her guardianship and heirship;

To Committee on the Judiciary.

By Mr. Bugh:

No. 36, A., a bill for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara;

To Committee on Swamp and Overflowed Lands.

By Mr. Bouck:

No. 37, A., bill for an act in relation to the abatement and revivor of suits;

To Committee on the Judiciary.

By Mr. Bartlett:

No. 38, A., a bill for an act to repeal chapter 123 of the session laws of 1859, entitled "An act to provide for the assignment of forfeited mortgages of School, University and other State lands to subsequent purchasers and incumbancers;

To Committee on the Judiciary:

By Mr. Elmore:

No. 39, A., a bill for an act to repeal chapter 16, of the Revised Statutes, entitled "Of the duties of Assessors in the collection of statistics;"

To Committee of the Whole.

By Mr. Ordway:

No. 40, A., a bill for an act to extend the time of payment of principal upon School and University Land Certificates;

To Committee on School and University Lands.

Also,

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages in certain cases where parties are unknown;

To Committee on the Judiciary.

By Mr. Bunn:

No. 42, A., a bill for an act exempting certain University Lands from taxation;

To Committee on Ways and Means.

Also,

No. 43, A., a bill for an act to repeal chapter 11, of the General Laws of 1858, entitled, "an act to authorize the Judge

of the Sixth Judicial District to appoint a place for holding the Circuit Court in the County of Buffalo," approved February 20th, 1858;

To Committee on the Judiciary.

By Mr. Howland:

No. 44, A., a bill for an act to repeal chapter 210, of the General Laws of 1859, entitled "an act to provide a permanent township School Library Fund;"

To Committee on Education.

By Mr. Humann:

No. 45, A., a bill for an act relative to the charter of the city of Milwaukee;

To the Milwaukee Delegation.

By Mr. Langland:

No. 46, A., a bill for an act to amend section 11, chapter 57, of Revised Statutes, entitled "Of Draining of Swamp, meadow and other low lands;

To Committee on Swamp and Overflowed Lands.

By Mr. Dockry:

No. 47, A., a bill for an act to amend section one, of chapter 60, of the Revised Statutes, entitled "Of the rates of toll for grinding;"

To Committee on Agriculture and Manufactures.

By Mr. Speaker:

No. 48, A., a bill for an act relating to the Fire departments in the cities and villages of this State, and to amend Chap. 190, of the General Laws of 1859, entitled "an act to regulate Insurance Companies not incorporated by the State of Wisconsin;"

To Committee on Ways and Means.

Also,

No. 49, A., a bill for an act concerning mortgages to the State on School Lands in the city of Racine;

To Committee on Education, &c.

MESSAGE FROM THE SENATE,

By John H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed J. Res. No. 3, S.,

Authorizing Secretary of State to furnish copies of Laws to the county of Sheboygan;

In which the concurrence of the Assembly is requested.

REPORTS OF COMMITTEES.

The Committee on the Judiciary have had under consideration the following bills, and instruct me to report the same back to the Assembly, and recommend that they severally be indefinitely postponed.

No. 1, A., a bill for an act to amend Chap. 133, of the Revised Statutes, entitled "of costs and fees."

No. 2, A., a bill for an act to legalize certain publications in proceedings at law and equity.

No. 29, A., a bill for an act to amend Chap. 120, of the Revised Statutes, entitled "of courts held by justices of the peace."

AMASA COBB, *Ch'n.*

The Committee on the Judiciary have had under consideration, the following bills and have instructed me to report the same back to the Assembly without amendment, and recommend their passage :

No. 21, A., a bill for an act to amend Section 217, of the Revised Statutes, entitled "Of Courts held by Justices of the Peace."

No. 31, A., a bill for an act to amend Sub-division 4, of Section 38, of Chapter 6, of the Revised Statutes, entitled "Of the Public Printing, and of the Publication and distribution of Statutes and other public documents."

No. 22, A., a bill for an act to legalize the organization of Joint School District No. 2, in the towns of Adrian and Tomah, in the County of Monroe.

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new Articles of Association, and continue the Banking business.

AMASA COBB, *Ch'n.*

The Committee on the Judiciary have had under consideration the following bills, and have instructed me to report the same back to the Assembly with amendments :

No. 5, A., a bill for an act to amend Chapter 22, of the General Laws of 1859, entitled "An act relative to the sale of Lands for unpaid Taxes, and the conveyance and redemption thereof."

No. 23, A., a bill for an act to provide for the holding of special terms of the Circuit Court for the counties of Ozaukee and Washington.

No. 16, A., a bill for an act to change the time of holding Courts in the county of Richland in the Fifth Judicial Circuit.

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin.

No. 20, A., a bill for an act to amend Chapter 8, of the General Laws of 1859, entitled "An act in relation to the publication of legal notices."

AMASA COBB, *Ch'n.*

The Committee on Privileges and Elections, to whom was referred the case of the contested election for the Outagamie Assembly District, respectfully report to the House that they have thoroughly examined all of the testimony submitted to them in that case, and the returns of the several towns and wards in that election district, and find that Milo Coles, the contestant, is duly entitled to his seat in this House, as the Member of the Legislature for said district for 1860; and that he was duly elected thereto by a majority of seventy-six votes. All of which is respectfully submitted, together with the following Resolutions.

J. S. BUGH, *Ch'n.*,
ROMANZO BUNN,
ORAN ROGERS,
JOHN SUTTON,
JOHN C. NEVILLE.

Res. No. 26, A.,

Resolved, That Daniel C. Jenne is not entitled to a seat in this House, as a Member of Assembly from the Outagamie County Assembly District.

Res. No. 27, A.,

Resolved, That Milo Coles is entitled to a seat in this House, as a Member of Assembly from the Outagamie Assembly District.

The question being taken on the passage of the said resolutions,

They were adopted by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, DeWolf, Dockry, Elmore, Fairchild, Farwell, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hesk, Horn, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Vander-

17, 1860.]

THE ASSEMBLY.

69

Cook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—87.

None voting in the negative.

On motion of Mr. Elmore,

The Assembly adjourned.

TUESDAY, JANUARY 17, 10 o'clock, A. M.

The Assembly met,

The Speaker in the chair.

On motion of Mr. Bouck,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bouck:

Mem. No. 18, A., of Bigger & Hill, and others, of Oshkosh, concerning taxes on Insurance Companies;

To Committee on Ways and Means.

By Mr. Phillips:

Mem. No. 19, A., concerning taxes on Insurance Companies;

To Committee on Ways and Means.

By Mr. Sumner:

Mem. No. 20, A., concerning taxes on Insurance Companies;

To Committee on Ways and Means.

By Mr. Elmore:

Mem. No. 21, A., of S. D. Carpenter in relation to printing;

To Committee on Printing.

By Mr. Cole:

Mem. No. 22, A., of N. H. Verley and others, for a charter to authorize William Knowles and his associates to build a dam across the Pecatonica river;

To Committee on Roads, Bridges and Ferries.

ACCOUNTS,

Presented and referred to Committee on Claims.

By Mr. Fairchild:

No. 13, the account of James W. Harvey;

And

No. 14, the account of Church & Hawley.

RESOLUTIONS INTRODUCED.

By Mr. Wheeler :

Res. No. 28, A.,

Resolved, That no Clerk appointed by any Committee of this House, shall be entitled to more than two dollars and fifty cents per day, for his services as such Clerk;

Which lies over.

By Mr. Fischer:

Res. No. 29, A.,

Resolved, That the Superintendent of Public Property be instructed to procure for the Speaker, each member of the Assembly, the Chief Clerk and Sergeant-at-Arms, five copies of the Session Laws of 1859, now printed in the German language by S. Sekles; *Provided*, the price shall not exceed twenty cents per copy ;

Which lies over.

By Mr. Robertson :

J. Res. No. 7, A.,

Resolved, by the Assembly, the Senate concurring, That the Committee on State Prison, of the Senate and Assembly, be authorized and instructed to visit the State Prison and House of Refuge, examine their condition and the accounts of the Commissioners, and report upon the same at an early day;

On motion of Mr. Horn,

The rules were suspended,

And the resolution adopted.

RESOLUTIONS CONSIDERED.

Res. No. 14, A.,

Including Chief Clerk and Sergeant-at-arms in appropriations ;

Introduced by Mr. DeWolf on the 14th inst.,

Mr. De Wolf offered the following as a substitute :

"Resolved, That whenever postage stamps or books of any kind are ordered by this Assembly, for the use of its members, the order shall be deemed to include the Chief Clerk and Sergeant-at-Arms of this House;"

Which was agreed to,

And the resolution as amended was adopted.

Res. No. 16, A.,

Referring Governor's Message to appropriate Committees ;

Introduced by Mr. Bovay, on the 14th inst. :

Mr. Blackman moved to amend by striking out the words after "local legislation," "and to the rates of interest," and that to the resolution so amended the following be added: "and that portion which treats on Banking, to the Committee on Banks and Banking, and that which treats on the rates of interest to a Select Committee of five;"

Mr. Judd moved to amend Mr. Blackman's amendment by striking out the words "select committee," and insert "the Committee on State Affairs;"

Which was agreed to,

And Mr. Blackman's amendment as amended was adopted.

Mr. Horn moved to amend by striking out "Committee on Federal Relations," and insert "Committee on Medical Societies and Colleges;"

Mr. Wheeler moved to amend Mr. Horn's amendment by inserting "Militia ;"

Mr. Elmore moved to amend by striking out all after the words "Resolved," and insert "that the Governor's Message be referred to the Committee of the Whole."

And called for the ayes and noes,

Which were ordered, and

The amendment was adopted by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Beath, Blackman, Bouck, Bow, Boyd, Brooks, Burt, Clise, Cole, Coles, De Wolf, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Green, Griffin, Grover, Heak, Holton, Horn, Humann, Jackson, Keogh, Kiefer, Kingsbury, Mackay, Mc Michael, Meigs, Mulholland, Munn, Neville, Ordway, Palm-

er, Patchin, Rankin, Robertson, Rogers, Ruan, Schmitdner, Seaton, Simpson, Spottswood, Stannard, Sutton, Townsend, VanderCook, and Winter—53.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Bovay, Bugh, Bunn, Child, Cobb, DeWolf, Dickson, Hammarquist, Hayden, Horton, Howland, Johnson, Judd, Langland, McKay, Miller, Mitchell, Moore, Nash, Phillips, Smith, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young, and Mr. Speaker—38.

The question being taken upon Mr. Wheeler's amendment,
It was lost.

The question occurring on Mr. Horn's amendment,
It was lost.

And the question recurring on the original resolution, as amended,

It was adopted.

Res. No. 17, A.,

Relative to decision of the Supreme Court, in the case of Knowlton vs. the Supervisors of Rock County,

Introduced by Mr. Bouck, on the 16th inst. ;

Mr. Elmore moved to amend by adding

"And further, that said committee report whether, under the Constitution, any property, real or personal in the State, except property of the United States, can be exempt from taxation";

Which was agreed to.

And said Resolution, as amended, was adopted.

Res. No. 18, A.,

Furnishing Local Laws of 1859,

Introduced by Mr. Wheeler yesterday,

Was adopted.

Res. No. 19, A.,

Relative to taking newspapers from the Post Office,

Introduced by Mr. Smith yesterday,

Was laid on the table.

Res. No. 2, A.,

Relative to printing the Governor's Message,

Introduced by Mr. Bartlett yesterday.

Mr. Wheeler offered the following as a substitute :

"Resolved, That ten thousand copies of the Governor's Message be published in pamphlet form, under the direction of the Governor, for the use of the Assembly ; 4,000 copies to be

printed in the English language; 2,500 copies in the German language; 2,500 copies in the Norwegian language, and 1,000 copies in the Dutch language";

Pending which,

On motion of Mr. Bouck,

Said resolution and amendment were referred to the Committee on Printing.

Res. No. 21, A.,

Providing for stationery for the Post Office,

Introduced by Mr. DeWolf yesterday,

Was adopted.

Res. No. 22, A.,

Referring the question of assessment and collection of taxes to a select committee of five,

Introduced by Mr. Elmore, yesterday,

Was adopted.

The Speaker appointed as said Committee,

Messrs. Elmore, Boyd, Griswold, Clise and Young.

Res. No. 24, A.,

In relation to the North West Land Grant;

Introduced by Mr. Munn, yesterday;

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Palmer:

No. 50, A., a bill to incorporate the Hanover Street Congregational Society;

To Committee on Incorporations;

Also,

No. 51, A., a bill to repeal certain sections of chapter 187, of the Revised Statutes, entitled "Of evidence;"

To Committee on the Judiciary.

By Mr. Cole:

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns to build a dam across the Pecatonica river;

To Committee on Roads, Bridges and Ferries.

By Mr. Holton:

No. 53, A., a bill for an act to amend an act entitled an act

to incorporate the Merchant's Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof;

To Committee on Incorporations.

By Mr. Bouck :

No. 54, A., a bill for an act to amend Sec. 81, of Chap. 119, of the Revised Statutes, entitled "General provisions concerning Courts of Record; of the powers and duties of Judges and of Attorneys and Officers of Court";

To the Committee on the Judiciary.

By Mr. Goodwin :

No. 85, A., a bill for an act to amend Chap. 211, of Laws of 1859, entitled "An act to provide for election of Directors of Railroads, and other corporations, in certain cases,"

To Committee on Railroads.

By Mr. Smith :

No. 56, A., a bill for an act to incorporate the Workmen's Relief Association of the City of Watertown;

To Committee on Incorporations.

By Mr. Boyd :

No. 57, A., a bill for an act to provide for the disposal of the Drainage Fund in the county of Fond du Lac;

To Committee on Swamp and Overflowed Lands.

By Mr. Palmer :

No. 58, A., a bill for an act to repeal Chap. 184, of the General Laws of 1858, entitled "An act concerning Testimony";

To the Committee on the Judiciary.

REPORTS OF COMMITTEES.

The Committee on the Judiciary, to whom were referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, with amendments :

No. 34, A., a bill for an act to repeal Chap. 186, of the Revised Statutes, entitled "Of Writs and Process."

No. 37, A., a bill for an act in relation to the abatement and revivor of suits.

AMASA COBB, *Ch'n.*

The Committee on the Judiciary, to whom was referred Memorial No. 11, A., "A petition in regard to counties retaining tax certificates in the Treasury;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly without any rec-

ommendation, for the reason that the object petitioned for is already provided for by law, and ask to be discharged from the further consideration of the said petition.

AMASA COBB, *Ch'n.*

The Committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and instructed me to report the same back to the Assembly without amendment, and recommend their passage:

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages in certain cases, when parties are unknown.

No. 43, A., a bill for an act to repeal Chapter 11, of the General Laws of 1858, entitled, "An act to authorize the Judge of the Sixth Judicial District to appoint a place for holding the circuit court in the county of Buffalo," approved Feb. 20, 1858.

AMASA COBB, *Ch'n.*

The Committee on the Judiciary, to whom was referred Memorial No. 12, A., a petition for the repeal of Sec. 14, of Chap. 138, of the acts of a general nature of 1858, has had the same under consideration, and instructed me to report the same back to the Assembly, and recommend that the same be referred to the Committee on Education, School and University Lands.

AMASA COBB, *Ch'n.*

The recommendation of the committee was concurred in by the Assembly.

The Committee on Ways and Means, to which was referred No. 48, A., a bill for an act relating to the Fire Departments in the Cities and Villages of this State; and to amend Chap. 190, of the General Laws of 1859, entitled "An act to regulate Insurance Companies not incorporated by the State of Wisconsin," report that they have examined the said bill, find no objections thereto, and recommend its passage.

The same committee have had under consideration the petition of sundry persons praying for "An act to declare Hall or Pine Creek, in the County of Jackson, a navigable stream," and ask leave to report by bill.

STODDARD JUDD, *Ch'n.*

No. 58, A., a bill for an act to declare Hall or Pine Creek, in the County of Jackson, a navigable stream,

Introduced by said committee,

Was read first and second times, and referred to the General File.

The Committee on Internal Improvements, to whom was referred the petition No. 16, A., of William Brendermuhl and 78 others, report that they have had the same under consideration and recommend that it be referred to the delegation from Sheboygan county.

W. T. BROOKS, *Ch'n.*

The recommendation of the committee was concurred in by the Assembly.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk.

MR. SPEAKER :

I am directed to inform you that the Senate has passed,

No. 1, S., a bill for an act to legalize the official acts of Edward O'Hare, as justice of the peace in the county of Dane.

No. 2, S., a bill for an act to legalize the official acts of Samuel Lattimore, as justice of the peace in the county of Dane.

No. 5, S., a bill for an act to legalize the official acts of Isaac C. Steele, as justice of the peace in the county of Dane.

No. 4, S., a bill for an act to legalize the official acts of Peter Haroldson, as justice of the peace in the county of Dane.

No. 3, S., a bill for an act to legalize the official acts of August P. Erbe, as justice of the peace in the county of Dane; in which the concurrence of the Assembly is requested.

I am also directed to inform you that the Senate has passed

No. 15, S., a bill for an act relating to the printing of public documents;

And ask the concurrence of the Assembly in the same.

I am also directed to present to you for signature,

No. 6, S., a bill for an act relating to the assessment, levy, and collection of taxes in the county of Sheboygan, for the year 1859.

Said bill was then signed by the Speaker.

SENATE MESSAGE TAKEN UP.

The Senate Message was taken up for consideration.

Bills Nos. 1, 2, 3, 4, 5 and 15, S.,

Were severally read first and second times, and

Referred to the General File.

J. Res. No. 3, S., authorizing Secretary of State to furnish copies of the laws to the county of Sheboygan,
Was concurred in.

The Speaker appointed Mr. Burt as Chairman of Committee on Internal Improvements; and Mr. Coles to fill vacancy in Committee on Contingent Expenses, in place of Mr. Jenne.

On motion of Mr. Bovay,

The Assembly resolved itself into a

COMMITTEE OF THE WHOLE,

On the General File of bills ;

Mr. Palmer in the Chair.

After some time spent therein, the Committee rose and by their Chairman, reported that they had had under consideration the general file of bills, had made progress therein and asked leave to sit again;

Leave was granted.

They further reported back the following bills with the several recommendations accompanying the same:

No. 2, A., a bill for an act to legalize certain publications in proceedings at law and in equity;

And,

No. 29, A., a bill for an act to amend Chapter 120 of the Revised Statutes, entitled, "Of Courts held by Justices of the Peace;"

With recommendation of indefinite postponement.

No. 5, A., a bill for an act to amend Chapter 22 of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

With recommendation that it do pass.

No. 16, A., a bill for an act to change the time of holding courts in the County of Richland, in the fifth. judicial circuit;

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin;

No. 20, A., a bill for an act to amend Chapter 3, of the General Laws of 1859, entitled, "an act in relation to the publication of legal notices;"

No. 23, A., a bill for an act to provide for the holding of special terms of the Circuit Court for the counties of Ozaukee and Washington;

No. 37, A., a bill for an act in relation to the abatement and revival of suits;

And

No. 34, A., a bill for an act to repeal Chapter 136 of the Revised Statutes, entitled, "Of writs and process;"

With amendments.

No. 21, A., a bill for an act to amend section 207, in Chapter 120, of the Revised Statutes, entitled, "Of Courts held by Justices of the Peace;"

No. 22, A., a bill for an act to legalize the organization of joint School District No. 2, in the towns of Adrian and Tomah, in the county of Monroe;

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new articles of association and continue the banking business;

No. 31, A., a bill for an act to amend subdivision 4, of section 38, of Chapter 6, of the Revised Statutes, entitled "Of the public printing, and of the publication and distribution of statutes and other public documents;"

No. 43, A., a bill for an act to repeal chapter 11, of the General Laws of 1853, entitled "An act to authorize the Judge of the 6th Judicial District to appoint a place for holding the Circuit Court in the county of Buffalo;"

No. 48, A., a bill for an act relating to the Fire Department in the cities and villages of this State, and to amend chapter 190, of the General Laws of 1859, entitled "An act to regulate Insurance Companies not incorporated by the State of Wisconsin;"

No. 59, A., an act to declare Hall or Pine Creek in the county of Jackson, a navigable stream;

No. 1, S., a bill for an act to legalize the official acts of Edward O'Hare, as justice of the peace in the county of Dane,

No. 2, S., a bill for an act to legalize the official acts of Samuel Lattimore, as justice of the peace in the county of Dane;

No. 3, S., a bill for an act to legalize the official acts of August P. Erbe, as a justice of the peace in the county of Dane;

No. 4, S., a bill for an act to legalize the official acts of Peter Haroldson, as justice of the peace in the county of Dane.

No. 5, S., a bill for an act to legalize the official acts of Isaac C. Steele, as justice of the peace in the county of Dane.

And,

No. 15, S., a bill for an act relative to the printing of public documents;

Without amendment.

No. 39, A., a bill for an act to repeal Chapter 16, of the

Revised Statutes, entitled, "Of the Duties of Assessors in the Collection of Statistics ;"

With recommendation of reference to select committee appointed under Resolution, No. 22, A.

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages, in certain cases, where the parties are unknown;

With recommendation of re-committal.

Mem. No. 11, A., relative to counties retaining tax certificates in the treasury;

With recommendation of reference to select committee under Resolution No. 22, A.

REPORT

Of the Committee of the Whole taken up.

Nos. 1, 2, 3, 4 and 5, S.,

Were ordered to a third reading.

The amendment to Nos. 5, 16, 17, 20, 34 and 37, A.,

Were concurred in, and said bills ordered engrossed for a third reading.

Nos. 21, 25, 31, 43 and 59, A.,

Were ordered engrossed.

On motion of Mr. Mackay,

The rules were suspended, and

No. 22, A., was read a third time and passed,

And the title agreed to.

The amendment to

No. 23, A., was read and concurred in ; and

On motion of Mr. Horn,

The rules were suspended, and

No. 23, A., was read a third time and passed,

And the title agreed to.

No. 15, S., the Assembly refused to order to a third reading.

Nos. 2 and 29, A., were indefinitely postponed.

No. 41, A., was re-committed to the committee on Judiciary.

No. 48, A., was re-committed to the Committee of the Whole.

No. 39, A., and Mem. No. 11, A.,

Were referred to Select Committee under Res. No. 22, A.

On motion of Mr. Wheeler,

The Assembly adjourned.

WEDNESDAY, JANUARY 18, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

The Speaker announced that Mr. Wiley, member elect from Shawano county, had subscribed to the oath of office and taken his seat in the Assembly chamber.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bouck:

Mem. No. 23, A., of the county board of supervisors of Winnebago county, requesting that the county court of said county have jurisdiction in certain civil actions;

To the Winnebago county delegation.

By Mr. McKay:

Mem. No. 24, A., of W. W. Ustich, and others, in regard to tax on insurance companies;

To committee on Ways and Means.

By Mr. Munn:

Mem. No. 25, A., of William Padley, and 96 others, for an act to keep and maintain a ferry across the Wisconsin river at the village of Dekorah, in the county of Columbia;

To committee on Roads, Bridges and Ferries.

By Mr. Munn:

Mem. 26, A., of Robert Robinson and sixty-four others, for an act to keep and maintain a ferry across the Wisconsin River at the village of Dekorah, in the county of Columbia;

To committee on Roads, Bridges and Ferries.

By Mr. Wheeler:

Mem. No. 27, A., for repeal of laws exempting certain corporations from taxation;

To committee on Judiciary.

By Mr. Munn:

Mem. No. 28, A., of M. Mansfield and fourteen others, citi-

sens of Portage, for an act to amend the charter of the city of Portage;

To committee on Incorporations.

By Mr. Whittlesey :

Mem. No. 29, A., from the Board of Supervisors of St. Croix county, for a law in relation to delinquent town taxes.

To the committee on Judiciary.

By Mr. Upson :

Mem. No. 30, A., of R. G. McClellan, James McKisson and 20 others, to create the town of Randall, in Kenosha county.

Mem. No. 31, A., of John D. McIntyre and others, to create the town of Randall, in Kenosha county.

And

Mem. No. 32, A., of B. F. Gage and 40 others, to create the town of Randall, in Kenosha county:

Which were severally referred to the committee on Town and County organization.

By Mr. Griswold:

Mem. No. 33, A., for the reduction of taxes on insurance companies:

To committee on Ways and Means.

By Mr. Clise:

Mem. No. 34, A., a remonstrance against the repeal of an act entitled "An act to incorporate the village of Lancaster, in Grant county," approved March 29, 1856;

To committee on Incorporations:

Also.

Mem. No. 35, A., for repeal of an act entitled "An act to incorporate the village of Lancaster, in Grant county," approved March 29, 1856;

To committee on Incorporations.

By Mr. Miller:

Mem. No. 36, A., remonstrance of citizens of Wheatland, against division of that town;

To committee on Town and County organization.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild :

No. 15, the account of Mosely & Bro., and

No. 16, the account of Samuel Klauber & Co.

By Mr. Alden :

No. 17, the account of C. W. Bennett. .

By Mr. Farwell :

No. 18, the account of C. Abbott.

By Mr. Dickson :

No. 19, the account of R. T. Lawton.

By Mr. Bunn :

No. 20, the account of Francis W. Newland.

RESOLUTIONS INTRODUCED.

By Mr. Hayden :

Res. No. 30, A.,

Resolved, That the Sergeant-at-Arms be and hereby is instructed to cause the screens around the stoves to be tinned on the inside ;

Which lies over.

By Mr. Goodwin :

Res. No. 31, A.,

Resolved, That the state printer, *de facto*, be requested to inform this Assembly why all the annual reports have not been printed and delivered to the superintendent of public property, as he is by law bound to do on or before the first day of the session ; and that if a sufficient excuse be not given within a reasonable time, the Printing committee be instructed to deduct the amount of penalty prescribed in first subdivision of section 21, of chap. 6, of the Revised Statutes,

Which lies over.

By Mr. Horn :

Res. No. 32, A.,

Resolved, That His Excellency, the Governor, be respectfully requested to communicate to this Assembly any correspondence that may have taken place between His Excellency and the Secretary of the Interior, in relation to the swamp and overflowed lands ;

Which lies over.

By Mr. Blackman :

Res. No. 33, A.,

Resolved, That the Superintendent of Public Property be directed to order for the use of the members, Chief Clerk and Sergeant-at-Arms of this Assembly, during the present session of the legislature, such newspapers as they may direct; the whole number of each not in any instance to exceed an equivalent to ten dailies. The account of said papers, accompanied with

the Superintendent's order, shall be audited and settled as incidental expenses of the legislature, the price for the same not to exceed the advertised rates of such papers for the period so ordered;

Which lies over.

By Mr. Horn:

I give notice that I shall on to-morrow, or some future day, move to amend rule 46, of the Assembly by striking out the words "reported by a standing committee," and insert in lieu thereof, "or bills amending a general law."

Mr. Smith asked leave of absence for Mr. Judd, for three days;

Which was granted.

RESOLUTIONS CONSIDERED.

Res. No. 28, A.,

Relative to pay of clerks of committees;

Introduced by Mr. Wheeler yesterday;

Mr. Elmore moved to amend by adding, "and it is hereby expressly declared that no committee has power to employ a clerk at the expense of the state, unless by resolution of the Assembly, or by law."

Which was agreed to, and the resolution as amended was adopted.

Res. No. 29, A.,

Providing members with five copies each of the Session Laws of 1859,

Introduced by Mr. Fischer yesterday,

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Bachuber:

No. 60, A., a bill for an act to authorize the superintendent of public instruction to apportion the sum of fifty-six dollars and thirty-two cents, to the town of Lomira, in the county of Dodge, for public instruction;

To committee on Education, &c.

By Mr. Humann:

No. 61, A., a bill for an act to amend chapter 40, of the

Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

To Milwaukee delegation.

By Mr. Rogers :

No. 62, A., a bill to amend section 33, chapter 133, of the Revised Statutes, entitled "of costs and fees ;"

To committee on the Judiciary.

By Mr. Phillips :

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

To committee on Town and County Organization.

By Mr. Weage :

No. 64, A., a bill for an act concerning the change of venue in criminal cases, in courts of justices of the peace;

To committee on the Judiciary.

By Mr. Bouck :

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled "An act to provide for, and defining the mode of assessing the value of lands appropriated by any railroad company, and damage resulting from the location, construction and operation, of its line of road in this State;"

To committee on Railroads.

By Mr. Upson :

No. 66, A., a bill for an act to divide the town of Wheatland, and create the town of Randall, in the county of Kenosha ;

To committee on Town and County Organization.

By Mr. Ordway :

No. 67, A., a bill for an act to amend section 8, of chapter 134 of the Revised Statutes of this State, entitled "of executions, and proceedings supplementary thereto ;"

To committee on the Judiciary.

By Mr. Bunn :

No. 68, A., a bill for an act to amend sec. 10 of chap. 22 of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

To select committee under Res. No. 22, A.

By Mr. Ruan :

No. 69, A., a bill for an act to remove the seat of government from the city of Madison to the city of Milwaukee ;

To the committee on the Militia.

By Mr. Whittlesey :

No. 70, A., a bill for act to amend chap. 73 of the Revised Statutes, entitled "of joint stock companies ;

To committee on Incorporations.

By Mr. Elmore :

No. 71, A., a bill for an act relating to executions on final judgments ;

To the committee on the Judiciary, and ordered printed.

By Mr. Griswold :

No. 72, A., a bill for an act to authorize the Bank of Columbus to reduce its capital stock ;

To committee on Banks and Banking.

By Mr. McMichael :

No. 73, A., a bill for an act to authorize the laying out of a state road from Prairie du Chien to La Crosse ;

To committee on Roads, Bridges and Ferries.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed:

No. 5, A., a bill for an act to amend chapter 22 of the general laws of 1859, entitled, "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof."

No. 16, A., a bill for an act to change the time of holding courts in the county Richland, in the Fifth Judicial Circuit.

No. 23, A., a bill for an act to provide for holding special terms of the circuit court for the counties of Ozaukee and Washington.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them to be correctly engrossed, under Rule 48:

No. 21, A., a bill for an act to amend section 217 in chapter 120 of the Revised Statutes, entitled "of courts held by justices of the peace."

No. 59, A., a bill for an act to declare Hall, or Pine Creek, in the county of Jackson, a navigable stream.

No. 2, A., a bill for an act to legalize certain publications in proceedings at law and equity.

No. 43, A., a bill for an act to repeal chapter 11, of the general laws of 1858, entitled, "an act to authorize the Judge

of the Sixth Judicial District to appoint a place for holding the circuit court in the county of Buffalo."

M. HOWLAND, *Ch'n.*

The committee on Judiciary to whom were referred the following memorials, have had the same under consideration and have instructed me to report the same back to the Assembly, and recommend that they be severally referred to the Select Committee on Assessments:

Mem. No. 8, A., memorial of the Supervisors of Bad Axe county relative to assessment law, &c.

Mem. No. 10, A., memorial of the county Board of Supervisors of the county of Adams, that the fees allowed by law to printers for advertising tax sales on delinquent lands be reduced to ten cents.

AMASA COBB, *Ch'n.*

The recommendations of the committee were concurred in.

The committee on the Judiciary to whom was referred

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that it be indefinitely postponed.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred bill

No. 14, A., a bill for an act to authorize persons having lien upon land to pay the taxes upon the same;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend its passage as amended.

AMASA COBB, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred Assembly bill No. 15, entitled "a bill to revive a portion of chapter 19, of the Revised Statutes of 1849, entitled of common schools," have had the same under consideration, and direct me to report it back, with the recommendation that it be indefinitely postponed.

Memorial No. 12, entitled a petition "to repeal section 4, chapter 138, acts of a general nature of 1858," and direct me to report the same back, with the recommendation that it lie on the table.

EDWARD D. HOLTON, *Ch'n.*

The committee on Ways and Means, to which was referred Memorial No. 9, Assembly, praying for an appropriation for translating the Constitution, &c., into the Welch language,

ask to be discharged from the further consideration thereof, and that the same be referred to the committee on Printing.

The same committee, to which was referred

No. 42, A., a bill for act exempting certain University lands from taxation,

Ask leave to be discharged from the further consideration of the same ; and that it be referred to the committee on Education, School and University Lands.

The same committee, having had under consideration several petitions praying for amendments to the law concerning insurance companies, ask leave to be discharged from their further consideration ; and that they be referred to the same committee of the whole having in charge a bill on that subject.

E. W. STANNARD, *for Com.*

The several requests of the committee were granted.

The committee upon Agriculture and Manufactures, to whom was referred

No. 47, A., entitled "a bill for an act to amend section one, of chapter sixty of the Revised Statutes,"

Have had the same under consideration, report the same back with an amendment to the title, and recommend that it do pass when so amended.

B. H. BETTIS, *Ch'n.*

The committee on Roads, Bridges and Ferries have had under consideration,

No. 18, A., a bill for an act to amend section 58, of chapter 19, of the Revised Statutes, entitled "of highways and bridges,"

And herewith report the same back, with amendment, and recommend that it do pass when so amended;

No. 26, A., a bill for an act to authorize Timothy Kirk to establish and maintain a ferry across the Mississippi river;

And respectfully report the same back to the house, and recommend that it be indefinitely postponed;

No. 30, A., a bill for an act, authorizing the county board of St. Croix county to lay out a road from Hudson in said county, to the west boundary of Dunn county, and to make certain appropriations therein named ;

And

Mem. No. 6, A., from the board of supervisors of St. Croix county, relative to said bill;

And respectfully report the same back to the house, and recommend that said bill,

No. 30, A., do pass.

Mem. No. 3, A., memorial from the citizens of Douglas county, relative to the laying out of a state road;

And respectfully report by bill

No. 74, A., a bill for an act authorizing the county board of Douglas county, to lay out, establish and improve, a road leading from Superior, through unsettled portions of the State, and to appropriate money therefor, and recommend its passage.

C. G. HAMMARQUIST, *Ch'n.*

Said bill, No. 74, A., was read first and second times, and Referred to the general file;

The committee on Incorporations, to which were referred,

No. 50, A., a bill to incorporate the Hanover Street Congregational Society;

No. 53, A., a bill for an act to amend an act entitled an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof;

No. 56, A., a bill for an act to incorporate the Workingmen's Relief Association of the city of Watertown;

Respectfully report the same back to the House, and recommend that they do pass.

ROMANZO BUNN, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and the majority of said committee,—Messrs. Bouck and Bartlett disagreeing—have instructed me to report the same back to the Assembly, without amendment, and recommend their passage.

No. 51, A., a bill for an act to repeal certain sections of chapter 137, of the Revised Statutes, entitled, "of Evidence;

No. 58, A., a bill for an act to repeal chapter 134, of the General Laws of 1858, entitled an act concerning testimony.

AMASA COBB, *Ch'n.*

The joint committee on Printing to whom was referred

Res. No. 20, A., relative to printing the Governor's Message,

Respectfully report that they have considered the same, and recommend that the said resolution be indefinitely postponed.

They further submit two joint resolutions upon the subject, the adoption of which they recommend.

GEO. B. GOODWIN, *Ch'n.*

J. Res. No. 8, A.,

Resolved, by the Assembly the Senate concurring, That there be printed by the State printer in pamphlet form for the use of the Legislature, the Governor's Message, in the numbers and language following, to wit:

In the English language,.....	3,000	copies.
German language,.....	2,000	"
Norwegian language,.....	1,500	"
Dutch, (or Holland),.....	1,000	"
Welsh,.....	1,000	"

J. Res. No. 9, A.

Resolved, by the Assembly, the Senate concurring, That the Governor be, and he is hereby authorized to translate his message into German, Norwegian, Dutch and Welsh languages, for the purposes of the resolution providing for the publication of said message.

Mr. Rankin moved to strike out so much of said resolution as relates to the Welsh language.

Mr. Fischer moved to postpone the consideration of the resolution for one week.

Pending which,

Mr. Holton moved to refer the whole matter to the committee on the Judiciary.

Which, upon a division, was agreed to—ayes 46, noes 44.

The committee on the Judiciary, to whom was referred bill

No. 6, A., a bill for an act to repeal section 47, of chapter 167 of the general laws of 1859, entitled, of the assessment and collection of taxes;

Have have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the bill be referred to the select committee on Assessment.

AMASA COBB, *Ch'n.*

The recommendation of the committee was agreed to.

The committee on the Judiciary, to whom was referred bill

No. 54, A., a bill for an act to amend section 31, of chapter 119 of the Revised Statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges and of attorneys and officers of courts;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

No. 27, A., a bill for an act to amend chapter 185 of the General Laws of 1859, being an act entitled an act to construe chapter 20 of the Revised Statutes, entitled "of regulating fences."

I am further directed to inform you that the Senate has passed

J. Res. No. 4, S.,

Resolved, by the Senate the Assembly concurring, That the following be added to the joint rules of the Senate and Assembly :

Rule 25th.—No bill or joint resolution shall be amended by substitute in such manner as to dispense with the enacting or resolving clause of the original.

BILLS ON THEIR THIRD READING.

The following bills were severally read a third time and passed :

No. 1, S., a bill for an act to legalize the official acts of Edward O'Hare, a justice of the peace in the County of Dane.

No. 2, S., a bill for an act to legalize the official acts of Samuel Lattimore, a justice of the peace in the county of Dane.

No. 3, S., a bill for an act to legalize the official acts of August P. Erbe, a justice of the peace in the county of Dane.

No. 4, S., a bill for an act to legalize the official acts of Peter Haroldson, a justice of the peace in the county of Dane.

No. 5, S., a bill for an act to legalize the official acts of Isaac C. Steele, a justice of the peace in the county of Dane.

On motion of Mr. Smith:

No. 48, A., a bill for an act relating to the fire department in the cities and villages of this state, and to amend chapter 190 of the General Laws of 1859, entitled, "an act to regulate insurance companies not incorporated by the State of Wisconsin,"

Was taken from the general file,

And ordered printed.

On motion of Mr. Cobb, the vote by which

No. 20, A., a bill for an act to amend chapter 8, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices";

Was, on yesterday, ordered to be engrossed,

Was reconsidered, and

The bill recommitted to the committee on the Judiciary.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Griswold in the chair.

After some time spent therein, the committee rose and by their chairman reported that they had had under consideration the general file of bills, had completed the same and asked leave to sit again;

Leave was granted.

They further report back the following bills, with the several recommendations accompanying the same, as follows:

No. 15, A., a bill to revive a portion of chapter 19 of the Revised Statutes of 1849, entitled of "of Common Schools";

No. 26, A., a bill for an act to authorize Timothy Kirk to establish and maintain a ferry across the Mississippi river;

No. 51, A., a bill to repeal certain sections of chapter 137, of the Revised Statutes, entitled "of Evidence";

And

No. 58, A., a bill for an act to repeal chapter 134, of the General Laws of 1858, entitled, "an act concerning testimony,"

With recommendation of indefinite postponement.

No. 18, A., a bill for an act to amend section 58, of chapter 19, of the Revised Statutes, entitled "of highways and bridges ;"

With an amendment.

No. 30, A., a bill for an act authorizing the county board of St. Croix county to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named ;

No. 50, A., a bill to incorporate the Hanover Street Congregational Society;

No. 53, A., a bill for an act to amend an act entitled "an act to incorporate the Merchant's Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof ;"

No. 54, A., a bill for an act to amend section 31, of chapter 119 of the Revised Statutes, entitled "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court ;"

No. 56, A., a bill for an act to incorporate the Workmen's Relief Association of the city of Watertown;

And

No. 74, A., a bill for an act authorizing the county board of Douglas county, to lay out, establish and improve a road leading from Superior, through unsettled portions of the State, and to appropriate money thereupon ;

Without amendment.

No. 14, A., a bill to authorize persons having a lien upon land, to pay the taxes upon the same;

With recommendation that it be printed.

No. 47, A., a bill for an act to amend section 1, of chapter 60, of the Revised Statutes, entitled "of the rate of toll for grinding ;"

With recommendation of re-committal.

REPORT,

Of the committee of the whole taken up.

No. 14, A., was ordered printed;

No. 47, A., was re-committed;

No's. 15, 26, 51, and 58, A.,

Were indefinitely postponed.

The amendment to,

No. 18, A., was concurred in; and

No's. 18, 30, 50, 53, 54, 56, and 74, A.,

Were ordered engrossed for a third reading.

On motion of Mr. Cobb,

No. 11, A., a bill for an act to legalize the sale of land for unpaid taxes in Douglas county,

Was referred to the select committee appointed under Res. No. 22. A.

On motion of Mr. Horn, the order of

BILLS READY FOR A THIRD READING

Was taken up, when

The following bills were severally read a third time, passed, and their title agreed to.

No. 5, A., a bill for an act to amend chap. 22 of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.

No. 16, A., a bill for an act to change the time of holding courts in the county of Richland, in the Fifth Judicial Circuit.

No. 21, A., a bill for an act to amend sec. 217, in chap. 120, of the Revised Statutes, entitled "of courts held by Justice's of the Peace."

And

No. 43, A., a bill for an act to repeal chap. 10 of the General Laws of 1858, entitled "an act to authorize the Judge of the Sixth Judicial District to appoint a place for holding the Circuit Court, in the county of Buffalo.

On motion of Mr. Bouck,

No. 59, A., a bill for an act to declare Hall, or Pine Creek, in the county of Jackson, a navigable stream ;

Was postponed for two weeks.

Mr. Elmore moved to reconsider the vote by which the Assembly refused to order to a third reading,

No. 15, S., a bill for an act relative to the printing of public documents.

On motion of Mr. Bouck,
The Assembly adjourned.

THURSDAY, JANUARY 19, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Ruan,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Phillips:

Mem. No. 37, A., of D. R. Clement, and 140 others, for a State road from Steven's Point north to the State line;

To committee on Roads, Bridges and Ferries.

By Mr. Neville:

Mem. No. 38, A., concerning tax on insurance companies;

To committee of the whole, with bill No. 48, A.

By Mr. Wiley:

Mem. No. 39, A., of the settlers upon the 16th section, town 26, range 15, Shawano county, asking relief;

To committee on Education.

By Mr. Coles:

Mem. No. 40, A., concerning tax on insurance companies;

To committee of the whole, with bill No. 48, A.

By Mr. SPEAKER :

MADISON, Jan. 18, 1860.

Honorable Dear Sir :—I have received your courteous note inviting me in the name of the Assembly of Wisconsin, to officiate, alternately with my Rev'd. Brethren of Madison, as chaplain during the session.

I cannot say I *regret* to be obliged to decline the honor thus extended to me.

It has ever been my conviction that according to the constitutions of our Federal and State Governments, the introduction (or rather intrusion) of religious exercises of any kind into our legislative halls, or other public institutions (schools !!) is diametrically opposed to the tenor and letter of such constitutions, and subversive of the policy universally taught through them, that there shall be no coalition of Church and State.

It was on this ground *alone* that I had at first determined to decline officiating in a *clerical capacity* before the Legislative Assembly of Wisconsin.

But upon reading the debates of the Assembly in regard to the chaplaincy resolution, I feel compelled through self-respect to myself as a gentleman, and as a citizen of Madison, (to say nothing of my veneration for my sacred character as a Minister of Jesus Christ) to decline any such honor.

To yourself, Hon. Sir, I am under many obligations for your courteous letter.

Trusting that these my objections to act as chaplain of the Assembly of Wisconsin may be made known through you to your honorable body,

I am with the highest consideration,

Yours, &c., &c.,

JOHN W. NORRIS, D. D.

*Pastor of St. Raphael's Catholic Congregation,
Madison, Wis.*

To Hon. WM. P. LYON,

Speaker of the Assembly, &c.

Mr. Elmore raised the question of the propriety of spreading such a matter upon the journal,

Pending which,

Mr. Horn moved, that five hundred copies of the letter of Rev. J. W. Norris be printed.

Mr. Bartlett moved to refer Mr. Horn's motion to the select committee on Assessments.

Mr. Humann moved to amend Mr. Bartlett's motion by referring to the committee on Federal Relations ;

Which was not agreed to.

The question occurring upon Mr. Bartlett's motion,
It was lost.

Mr. Fischer moved to amend Mr. Horn's motion, by requiring said letter to be printed in the Latin language.

Mr. Horn moved to amend Mr. Fischer's amendment by adding, "that they be sent to the German infidels of the republican party."

On motion of Mr. Wheeler,

The whole matter was laid on the table.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild :

No. 21, the account of Whitmore, Wolf, Duff & Co.

And

No. 22, the account of T. N. Bovee.

RESOLUTIONS INTRODUCED.

By Mr. Goodwin :

Res. No. 84, A.,

Resolved, That a special committee of five, consisting of members of the Assembly, be appointed to inquire what measures (if any) are necessary to be adopted to insure the building of the rail road from Fond du Lac, in Fond du Lac county, Wisconsin, northerly to the State line, according to the provisions of the act of congress making a grant of land to aid in the construction of said road, and that said committee do report by bill, or otherwise, with all convenient speed ;

Which lies over.

By Mr. Wheeler :

Res. No. 85, A.,

Resolved, That the Superintendent of Public Property be directed to furnish the post master of the Assembly with five dollars worth of postage stamps— three dollars of letter and two dollars in newspaper stamps ;

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 30, A.,

Relative to tinning screens around the stoves ;

Introduced by Mr. Hayden, yesterday,

Was laid on the table.

Res. No. 81, A.,

Calling for information from the State Printer;

Introduced by Mr. Goodwin, yesterday, was

On motion of Mr. Bouck,

Referred to committee on Printing.

Res. No. 82, A.,

Calling upon the Governor for certain information;

Introduced by Mr. Horn, yesterday;

Mr. Horn moved to amend by inserting after the word "Excellency," in the fourth line, the words "or his predecessors in office;"

Which was agreed to.

Mr. Horn moved to amend by striking out all after the word "interior," and insert "concerning the change in the selection of the swamp and overflowed lands, by the State, making a survey of the same, instead of adopting the survey of the United States."

Which was agreed to.

Mr. Ruan moved to lay the whole matter on the table;

Which did not prevail;

And the resolution as amended was adopted.

Res. No. 83, A.,

Directing superintendent of public property to furnish members with newspapers;

Introduced by Mr. Blackman, yesterday.

Mr. Palmer moved to strike out the words "Superintendent of Public Property," and insert "the Chief Clerk of this Assembly;"

Mr. Ordway offered the following substitute for the original resolution;

"Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to order for the use of the members of the Assembly during the present session of the Legislature, such newspapers as they may direct, and at the usual advertised rates, the number to each member not to exceed seven dailies. Each member shall make out and subscribe duplicate orders, specifying the papers desired, one of which duplicates shall be retained by the Chief Clerk, and the other shall be forthwith delivered to the Secretary of State, and the Secretary of State shall not audit any other or further bill for newspapers than those specified in such order."

Whereupon, Mr. Palmer on leave withdrew his amendment.

Mr. Fischer moved to amend Mr. Ordway's amendment by adding

"The price for the same not to exceed fifty cents for weeklies, or \$2 for dailies, for the session";

Which was disagreed to.

Mr. Palmer moved to amend Mr. Ordway's amendment by striking out "seven," and insert "ten";

Mr. Elmore called for a division of the question;

And the question first occurring on striking out "seven,"

It was agreed to.

Mr. Elmore moved to fill the blank by inserting "fifteen";

Mr. Horn moved to insert "twelve";

Mr. DeWolf moved to insert "six";

The question first occurring on Mr. Elmore's amendment,

Mr. Cobb called for the ayes and noes,

Which were ordered,

And the amendment was lost by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Elmore, Fischer, Goodwin, Green, Horn, Humann, Keogh, Kiefer, Kingsbury, Mackay, Mulholland, Palmer, Phillips, Rankin, Robertson, Townsend, Winter and Wood—21.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Griffin, Griswold, Grover, Hammarquist, Horton, Howland, Jackson, Johnson, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Patchin, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Weacott, Wheeler, Whittlesay, Whiting, Wiley, Wood and Mr. Speaker—65.

The question occurring on Mr. Horn's amendment,

It was lost.

The question occurring on Mr. Palmer's amendment to fill the blank by inserting "ten,"

The ayes and noes were called and ordered, and

The amendment lost by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bartlett, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Dockry, Elmore, Fairchild, Fischer, Goodwin, Green, Grover, Hesk, Horton, Keogh, Kingsbury, Mackay, McKay, McMichael, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Robertson, Ruan, Simpson, Sutton, Townsend, VanderCook, Westcott, Whittlesay, Wiley, Winter, Wood, Young and Mr. Speaker—42.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bettis, Brooks, Burt, Child, Clise, Cobb,

Cole, Coles, DeWolf, Farwell, Golden, Griffin, Griswold, Hammarquist, Holton, Horn, Howland, Humann, Jackson, Johnson, Kiefer, Langland, Miller, Mitchell, Nash, Ordway, Phillips, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wheeler and Whiting—44.

The morning hour having expired,

Mr. Boyd move to suspend the rules for the purpose of disposing of said resolution.

Which motion did not prevail.

SENATE MESSAGE

Taken up.

J. Res. No. 4, S.,

Providing additional joint rule,

Was lost.

Mr. Griswold moved to proceed with the consideration of bills and reports of committees.

Which motion prevailed.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Wiley:

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawano county school lands;

To committee on Education.

By Mr. Bouck:

No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bond;

To committee on the Judiciary.

By Mr. Phillipps:

No. 77, A., a bill for an act to repeal chapter 330, of the private and local laws of 1855, entitled, "an act to incorporate the Wisconsin River Hydraulic Company;"

To committee on Internal Improvements.

No. 78, A., a bill for an act to repeal chapter 270, of the private and local laws of 1853, entitled, "an act to authorize John Marshall, Joseph Bailey, Edward Morris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin River;

To committee on Roads, Bridges and Ferries.

And,

No. 79, A., a bill for an act to repeal chapter 508 of the private and local laws of 1856, entitled, "an act to amend chapter 330, of the private and local laws of 1855;"

To committee on Internal Improvements.

By Mr. Howland:

No. 80, A., a bill for an act to amend sections 66 and 84 of chapter 19 of the Revised Statutes, entitled, "of highways and bridges;"

To committee on Roads, Bridges and Ferries.

By Mr. Seaton:

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

To committee on Expiration and Re-enactment of Laws.

By Mr. Sumner:

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the private laws of 1855, entitled, "an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;"

To committee on Railroads.

By Mr. Bachuber:

No. 83, A., a bill for an act to authorize the treasurer of the county of Dodge, and direct him to apportion license money to the towns of Le Roy, Lemira and Theresa, in said county, for the purpose of highways and bridges;

To committee on State Affairs.

By Mr. Griswold:

No. 84, A., a bill for act to limit the liabilities of counties in certain cases;

To committee on the Judiciary.

By Mr. Goodwin:

No. 85, A., a bill for an act to amend chapter 91, of the laws of 1858, entitled an act to provide for the protection of stockholders of railroad corporations;

To committee on the Judiciary.

By Mr. McMichael:

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county;

To committee on Roads, Bridges and Ferries.

By Mr. Horton:

No. 87, A., a bill for an act to amend section 1, chapter 160,

of session laws of 1859, entitled "an act to limit the rate of interest ;"

To committee on State Affairs.

By Mr. Cobb :

No. 88, A., a bill for an act to authorize the State librarian to purchase certain books, and to appropriate money therefor ;

To committee on the Judiciary.

By Mr. Cobb :

No. 89, A., a bill for an act releasing the directors of the Star Rifle Company, of Oshkosh, Winnebago county, from the obligation of a certain bond ;

To committee on the Militia.

By Mr. Speaker :

No. 90, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive ;

To committee on the Judiciary.

Also,

No. 91, A., a bill for an act for the publication of the session laws in two newspapers in each county of this State ;

To committee on State Affairs.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred the following bills have had the same under consideration and have instructed me to report the same back to the Assembly with amendments ;

No. 20, A., a bill for an act to amend chapter 80, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices ;

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages in certain cases where parties are unknown ;

No. 7, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto."

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

Mem. No. 29, A., petition from the board of supervisors of St. Croix county, for a law in relation to delinquent town taxes,

Have had the same under consideration and have instructed me to report the same back to the Assembly and recommend

that the same be referred to the select committee on Assessments.

AMASA COBB, *Ch'n.*

The recommendation of the committee was agreed to.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that they severally do pass without amendment:

No. 67, A., a bill for an act to amend section 8, of chap. 134, of the Revised Statutes of this State, entitled of "executions and proceedings supplementary thereto."

No. 62, A., a bill for an act to amend sec. 33, of chap. 133, of the Revised Statutes, entitled "of costs and fees."

No. 64, A., a bill for an act concerning the change of venue in criminal cases in courts of justices of the peace.

AMASA COBB, *Ch'n.*

The committee on Education, School and University lands, to whom was referred Assembly bill

No. 40, entitled, a bill for an act to extend the time of payment of principal upon school and university land certificates,

Have had the same under consideration, and have directed me to report it back to the Assembly with the recommendation that the same be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The committee on Claims, to whom was referred the account

No. 2, A., the bill of W. H. Curry, for copying statistics and making returns to Madison, in accordance with section 3, chapter 16, Revised Statutes of 1858,

Report the same back, and recommend that it be disallowed, as it is not considered by the committee a legal charge against the State.

The same committee also report back

Acc. No. 9, A., the bill of J. K. Averill, for publishing list of forfeited school lands,

And recommend that it be disallowed, for the reason that the probability is that it has already been paid by the School Land Commissioners; and, in any event, is not a proper subject for the committee to act upon.

Acc. No. 1, A., of Benjamin Williams, taking convicts to State Prison;

Acc. No. 4, A., of Hiram A. Stone, for taking convicts to State Prison;

Acc. No. 10, A., of E. Martin, for taking convicts to State prison;

Are reported back by

Bill No. 92, A., a bill for an act to appropriate to E. Martin the sum of \$30 ;

Bill No. 93, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50 ;

Bill No. 94, A., a bill for an act to appropriate to Benjamin Williams the sum of \$50 ;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

The same committee also report back accounts

No. 7, A., of Andrew Bishop, for services in Supreme Court by himself and assistant, as sheriff, crier and door-keeper, 156 days ;

No. 8, A., of Gabriel Bouck for expenses and disbursements while Attorney General ;

No. 13, A., of James W. Harvey, for labor in repairing steps to City Hall broken by workmen in employ of the State ;

No. 16, A., of Samuel Klaubner, for carpets, oil-cloths, matings, &c., for use of State.

By bills,

No. 95, A., a bill for an act to appropriate to Andrew Bishop, the sum of \$312 ;

No. 96, A., a bill for an act to appropriate to Gabriel Bouck, the sum of \$80 87-100 ;

No. 97, A., a bill for an act to appropriate to James W. Harvey, the sum of \$7 ;

No. 98, A., a bill for an act to appropriate to Samuel Klaubner, the sum of \$392 56-100 ;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

Said bills were severally read first and second times, and Referred to the committee of the whole.

The committee on Railroads, to which was referred,

No. 13, A., a bill for an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company,

Have had the same under consideration, and instructed me to report the same back with recommendation that it pass.

WM. E. WHEELER, *Ch'n.*

The committee on Banks and Banking have had under consideration

No. 14, A., a bill for an act to authorize the Forest City Bank and the Shawanaw Bank to reduce their capital ;

No. 9, A., a bill to authorize the Green Bay Bank to reduce its capital and remove its place of business ;

No. 72, A., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 8, A., a bill to authorize the Sauk City Bank and the Wisconsin Bank of Madison to reduce their capital;

And have instructed me to report the same back with a recommendation that they do pass.

The same committee has also had under consideration

No. 8, A., a bill for an act to reduce the capital stock of the Bank of Oshkosh;

And instructed me to report the same back with amendments, and with a recommendation that the amendments be adopted, and the bill passed when so amended:

And the same committee has also had under consideration

No. 4, A., a bill for an act to authorize the Northern Bank to reduce its capital stock;

And have instructed me to report the same back with a substitute, and to recommend the adoption and passage of the substitute.

WM. M. GRISWOLD, *Ch'n.*

The committee, composed of members from the city of Milwaukee, to which was referred

No. 61, A., a bill to amend chap. 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

Have had the same under consideration, and respectfully report the same back to the Assembly, and recommend that it do pass.

MATH. HUMANN,
EDWARD KEOGH,
H. L. PALMER,
E. D. HOLTON,
E. G. HAYDEN.

The committee on Engrossed Bills respectfully report That they have examined the following bills, and find them to be correctly engrossed under rule 48;

No. 56, A., a bill for an act to incorporate the Workmen's Relief Association, of the city of Watertown.

No. 74, A., a bill for an act authorizing the county board, of Douglas county, to lay out, establish and improve a road leading from Superior, in said county, through unsettled portions of the State, and to appropriate money therefor.

No. 80, A., a bill for an act authorizing the county board of St. Croix county, to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named.

No. 50, A., a bill to incorporate the Hanover street Congregational Society.

No. 53, A., a bill to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed:

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin;

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new articles of association, and continue the banking business;

No. 34, A., a bill for an act to repeal chapter 136, of the Revised Statutes, entitled, "of writs and process;"

No. 31, A., a bill for an act to amend subdivision 4, of section 38, of chapter 6, of Revised Statutes, entitled, "of the public printing, and of the publication and distribution of statutes and other public documents;"

No. 37, A., a bill for an act in relation to the abatement and revivor of suits;

No. 18, A., a bill for an act to amend section 58, of chapter 19, of the Revised Statutes, entitled "Of Highways and Bridges;"

No. 54, A., a bill for an act to amend section 31, of chapter 119, of the Revised Statutes, entitled "General provisions concerning courts of record, of the powers and duties of judges and of attorneys and officers of court."

M. HOWLAND, *Ch'n.*

Mr. Horn called up his notice of yesterday, and moved to amend Rule 46, of the Assembly, by striking out the words, "reported by a standing committee," and insert in lieu thereof, "or bills amending a general law."

Mr. Ordway proposed as a substitute for Mr. Horn's motion the following:

Amend so as to read, "two hundred copies of every bill for a general law, or an amendment to a general law, reported by a standing committee, shall be printed after a second reading;"

Which was rejected,

And the question recurring on Mr. Horn's motion,
It was adopted.

By Mr. Elmore:

I give notice, that I will on to-morrow ask to have the Rules amended as follows:

"All communications from individuals, presented to this House, shall be endorsed as is required in case of petitions, memorials, &c., and shall not be spread out at length upon the journal, unless the Assembly so order.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On the general file of bills,

Mr. Horn in the chair.

After sometime spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, and asked leave to sit again;

Leave was granted.

They further reported back the following bills, with the several recommendations accompanying the same, as follows:

No. 14, A., a bill to authorize persons having a lien upon lands to pay the taxes upon the same;

And, No. 8, A., a bill for an act to reduce the capital stock of the Bank of Oshkosh;

With amendments.

No. 4, A., a bill for an act to authorize the Northern Bank to reduce its capital stock;

With a substitute.

No. 40, A., a bill for an act to extend the time for the payment of principal upon school and university land certificates;

With recommendation of indefinite postponement.

No. 3, A., a bill for an act to authorize the Sauk City Bank and the Wisconsin Bank of Madison, to reduce their capital;

No. 72, A., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 9, A., a bill to authorize the Green Bay Bank to reduce its capital and remove its place of business;

No. 10, A., a bill for an act to authorize the Forest City Bank and the Shawanaw Bank, to reduce their capital;

No. 13, A., a bill for an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855;

No. 6, A., a bill for an act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

No. 98, A., a bill for an act to appropriate to Samuel Klauber the sum of \$392 86;

No. 97, A, a bill for an act to appropriate to James W. Harvey the sum of \$7 ;

No. 96, A, a bill for an act to appropriate to Gabriel Bouck the sum of \$80 37 ;

No. 95, A, a bill for an act to appropriate to Andrew Bishop the sum of \$312 ;

No. 92, A, a bill for an act to appropriate to E. Martin the sum of \$30 ;

No. 93, A, a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50 ;

And

No. 94, A, a bill for an act to appropriate to Benjamin Williams the sum of \$50 ;

Without amendment.

No. 1, A, a bill for an act to amend chap. 133 of the Revised Statutes, entitled " of costs and fees ; "

With rec. of recommittal, to committee on Judiciary.

No. 41, A, a bill for an act regulating practice in the foreclosure of mortgages in certain cases when parties are unknown ;

No. 2, A, a bill for an act to amend chap. 8, of the General Laws of 1859, entitled " an act in relation to the publication of legal notices ; "

No. 7, A, a bill for an act to amend chap. 134, of the Revised Statutes, entitled " of executions and proceeding supplementary thereto ; "

No. 64, A, a bill for an act concerning the change of venue in criminal case in courts of justice's of the peace ;

No. 62, A, a bill for an act to amend sec. 33, chap. 133, of the Revised Statutes, entitled " of costs and fees ; "

And

No. 67, A, a bill for an act to amend sec. 8, of chap. 134, of the Revised Statutes, of this State, entitled " of executions and proceedings supplementary thereto. ; "

With recommendation that they be printed.

Mr. Bovay moved to suspend the rules for the purpose of considering.

Res. No. 35, A,

Directing Superintendent of Public Property to furnish members with newspaper ;

Which was not agreed to.

REPORT OF THE COMMITTEE OF THE WHOLE,

Taken up:

The amendments to

No's. 4, 8, and 14, A, were concurred in ;

And

No's. 4, 8, 14, 3, 72, 9, 10, 13, 61, 41, 20, 64, 62, 67, 94, 93, 92, 95, 96, 97, and 98, A,

Were ordered to be engrossed for a third reading;

No. 40, A,

Was indefinitely postponed;

No. 1, A,

Was recommitted to committee on the Judiciary;

No. 7, A,

Was ordered printed.

On motion of Mr. Elmore the order of

BILLS READY FOR A THIRD READING,

Was taken up, and

The following bill were severally read a third time and passed,

And their titles agreed to.

No. 17, A, a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin;

No. 18, A, a bill for an act to amend section 58, of chapter 19, of the Revised Statutes, entitled "of highways and bridges ;"

No. 25, A, a bill for an act to authorize the Bank of Oshkosh, to make and file new articles of association and continue the banking business;

No. 30, A, a bill for an act authorizing the county board of St. Croix County, to lay out a road from Hudson, in said county, to the west boundary of Dunn County, and to make certain appropriations therein named;

No. 41, A, a bill for an act to amend sub-division 4, of section 38, of chapter 6, of the Revised Statutes, entitled, "of the public printing and of the publication and distribution of Statutes and other public documents."

No. 37, A, a bill for an act in relation to the abatement and revivor of suits;

No. 50, A, a bill to incorporate the Hanover Street Congregational Society;

No. 53, A, a bill for an act to amend an act entitled, "an act to incorporate the Merchants' Mutual Insurance Company, of Milwaukee, and the several acts amendatory thereof;"

No. 54, A, a bill for an act to amend section 31, of chapter 119 of the Revised Statutes, entitled, "general provisions concerning courts of record, of the powers and duties of judges, and of attorneys and officers of court;

No. 56, A, a bill for an act to incorporate the Workmen's Relief Association of the city of Watertown;

And,

No. 74, A, a bill for an act authorizing the county board of Douglas county to lay out, establish, and improve a road leading from Superior, through unsettled portions of the States, and to appropriate money thereupon;

No. 34, A, a bill for an act to repeal chapter 136, of the Revised Statutes, entitled, "of writs and process ;"

Was read a third time and passed, and

The title amended by inserting after the word "repeal," the word "certain portions of."

Mr. Elmore moved that "Pump Carpenter's" feet be taken from the table and put on their passage;

Which motion the Speaker ruled to be out of order until this afternoon.

Upon which,

On motion of Mr. Horn,

The Assembly adjourned.

FRIDAY, JANUARY 20th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

On motion of Mr. Alden,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Munn :

Mem. No. 41, A, remonstrance of Mrs. John A. Brown and others connected with the "Badger State," against reducing the fees to be paid for doing legal printing ;

Mem. No. 42, A, a remonstrance of R. B. Wentworth and others connected with the "Portage City Record," against reducing the fees to be paid for doing legal printing;

Which were severally referred to committee on Printing.

By Mr. Bovay :

Mem. No. 43, A, of citizens of the county of Green Lake, praying for reduction of tax on foreign insurance companies;

To committee of the Whole, with

Bill No. 48. A.

By Mr. Bartlett :

Mem. No. 44, A, of certain citizens of the town of Half Moon, praying for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town ;

To committee on Roads, Bridges and Ferries.

By Mr. Smith :

Mem. No. 45, A, of 48 persons in reference to percentage on foreign insurance companies ;

To committee of the Whole, with

Bill No. 48, A.

ACCOUNTS;

Presented and referred to committee on Claims.

By Mr. Farwell :

No. 23, the account of Timothy Brown ;

By Mr. Elmore :

No. 24, the account of Simon Sekles ;

By Mr. Wood :

No. 25, the account of L. E. Saxton ;

The following members were granted leave of absence :

Messrs. Bettis, Whiting and Horton, for ten days,

Messrs. VanderCook, Bachaber, Nash, Griffin, Simpson, Altenhofen, Hott, Hayden, Hammerquist and Weage, for three days.

Mr. Whittlesey, for four days ;

Mr. Neville, until Friday next, and

Mr. Wheeler until Tuesday next.

Mr. Humann moved, that when the Assembly do adjourn, the said adjournment shall extend to Tuesday next.

Mr. Griswold moved to amend, by striking out the word "Tuesday," and insert "2 P. M., Monday."

Mr. Blackman moved to amend as follows : "That when the Assembly adjourn on to-morrow, that they adjourn until Monday, at 2 o'clock, P. M."

Mr. Townsend moved to lay the whole matter on the table ;
Which was agreed to.

RESOLUTIONS CONSIDERED.

Res. No. 83) A,

Directing Superintendent of Public Property to furnish members with newspapers ;

Introduced by Mr. Blackman on the 18th inst.

The question being on filling the blank in the substitute offered by Mr. Ordway yesterday,

Mr. Smith moved to postpone the consideration thereof until Tuesday next.

Debate being intimated.

On motion of Mr. Barnum, the rules were suspended for the purpose of considering said resolution.

The pending question being on filling the blank with " six ; "

Mr. Boyd moved to fill the blank by inserting " eight ; "

Mr. Alden moved to insert " nine ; "

Mr. Howland moved to refer the whole matter to the committee on Contingent expenses,

Which was disagreed to.

Mr. Rankin moved to fill the blank by inserting " eleven ; "

Mr. Cobb rose to a point of order whether it was proper to fill the blank with " eleven," when the Assembly had already refused to fill the blank with a lesser number ;

Which point the Speaker decided to be not well taken.

The question occurring on Mr. Rankin's amendment,

The ayes and noes were called for and ordered,

And the Assembly refused so to fill the blank,

By the following vote:

Those who voted in the affirmative were,

Messrs. Ahlhauser, Alden, Bachuber, Blackman, Bouck, Bo-vay, Bow, Boyd, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Green, Grover, Hesk, Humann, Hunkins, Keogh, Keifer, Kingsbury, Mackay, Mulholland, Munn, Palmer, Patchin, Rankin, Robertson, Simpson, Townsend, Westby, Wiley, Winter, Wood, Young and Mr. Speaker—87.

Those who voted in the negative were,

Messrs. Baldwin, Ballantine Barden, Barnum, Bartlett, Beath, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, De-Wolf, Dickson, Dockry, Griffin, Griswold, Hammarquist, Horton, Howland, Jackson, Johnson, Langland, McKay, McMich-ael, Meigs, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Sut-ton, Upson, Wescott, and Wheeler—44.

The question recurring on Mr. Alden's motion to fill the blank with "nine;"

It was agreed to.

Mr. Miller moved to amend by inserting after the words "members of the Assembly," the words "Chief Clerk and Sergeant-at-Arms;"

Which was agreed to.

Mr. Seaton moved to amend by adding, "and to each of the subordinate officers of the House, two dailies;"

Which was agreed to.

Mr. Young moved to add after the word "dailies," "or their equivalent in weeklies;"

Which was agreed to.

Mr. Bovay moved to amend by inserting "and officers" after the word "member" in the tenth line;

Which motion prevailed.

Mr. Howland moved to refer the whole subject to the committee on the Judiciary;

Which was disagreed to.

The question occurring on the adoption of the substitute as amended;

It was agreed to, and

The resolution as amended was adopted.

Mr. Howland moved "that each member receiving said papers shall give a receipt to the State Treasurer therefor, which shall apply as so much payment of his per diem;

Which motion did not prevail.

Res. No. 34, A.

Providing sprcial committee of five to inquire into the matter of the construction of the Land Grant Railroad from Fond du Lac, northerly to State line;

Introduced by Mr. Goodwin, yesterday,

Was, on debate being intimated,

Laid over.

Res. No. 35, A,

Furnishing Postmaster with stamps;

Introduced by Mr. Wheeler yesterday:

Mr. Boyd to amend by inserting after the word "postmaster" the words "and assistant sergeant-at-arms;"

Which was agreed to;

And the resolution is amended was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second time, and referred.

By Mr. Wiley :

No. 99, A, a bill for an act to amend section 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

To committee on Town and County Organization.

By Mr. Palmer :

No. 100, A, a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

To committee on the Judiciary :

By Mr. Smith :

No. 101, A, a bill for an act to amend chapter 46, General Laws 1859, entitled "an act for the formation of town insurance companies;"

To committee on Incorporations :

By Mr. Ordway :

No. 102, A, a bill for an act to amend section 75 of chapter 183, of the Revised Statutes, entitled "of costs and fees ;"

To committee on the Judiciary.

By Mr. Dickson:

No. 103, A, a bill for an act to amend section 2, of chapter 134, of the Revised Statutes, relative to executions and proceedings supplementary thereto;

To committee on the Judiciary.

Also,

No. 104, A, a bill for an act to amend section 9, of chapter 183, entitled "of offences, cognizable before justices of the peace;"

To committee on the Judiciary.

By Mr. Miller:

No. 105, a bill for an act to repeal chapter 134, of the General Laws of 1859, entitled "an act to authorize the clerk of the circuit court of each organized county to procure a copy of the judgment record of unsatisfied judgments in the courts of the United States in and for the District of Wisconsin;

To committee on the Judiciary.

By Mr. Horton:

No. 106, A, a bill for an act to repeal section 112, chapter 15, of the Revised Statutes of 1858, entitled "an act for the compensation of town officers;"

To committee on the Judiciary.

By Mr. Jackson:

No. 107, A, a bill for an act to amend chapter 18, of the

Revised Statutes, entitled "of the assessment and collection of taxes;"

To select committee on Res. No. 22, A.

By Mr. Mitchell:

No. 108, A, a bill for an act to amend chapter 43, of the Revised Statutes, entitled "of strays, and lost money and goods;"

To committee on State Affairs.

By Mr. Bartlett:

No. 109, A, a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town;

To committee on Roads, &c.

By Mr. Griswold:

No. 110, A, a bill for an act to amend chapter 81, of the Revised Statutes, entitled "of the State Historical Society;"

To committee on Ways and Means.

Also,

No. 111, A, a bill for an act to reduce the capital stock of the Bank of Manitowoc;

To committee on Banks and Banking.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that they severally do pass without amendment:

No. 76, A, a bill for an act providing for the bringing of suits upon sheriffs' bonds.

No. 88, A, a bill for an act to authorize the State Librarian to purchase certain books, and to appropriate money therefor.

No. 90, A, a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 84, A, "a bill for an act to limit the liability of counties in certain cases,"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with an amendment, and recommend that the same do pass as amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred Bill No. 71, A, "a bill for an act relating to executions on final judgment,"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the same be indefinitely postponed.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Acc. No. 18, A, the account of C. Abbott,

Have had said account before them, but have not considered the same, for the reason that said account is not verified, in compliance with joint rule 8, and have instructed me to report the same back to the Assembly, and recommend that the owner of said account have leave to withdraw the same for the purpose of perfecting the same.

AMASA COBB, *Ch'n.*

Leave to withdraw said account was granted.

The committee on the Judiciary to whom it was referred by Res. No. 17, A,

To report whether the recent decision made by the supreme court in the case of Knowlton against the board of supervisors of Rock county, renders it necessary to change the laws concerning taxes upon banks and railroads; *And further*, whether under the constitution any property, real or personal in the State, except property of the United States, can be exempted from taxation;

Have had the same under consideration, and have instructed me to report:

1st. That under the constitution of this State, as expounded by the supreme court in the case of Knowlton *vs.* the Supervisors of Rock county, it is in the opinion of your committee, expedient, if not absolutely necessary, that the laws on the subject of taxation and assessments be so changed as to apply to railroads and banks.

2d. That under the constitution, property in this State, other than the property of the United States, *can be* exempted from taxation;

All of which is respectfully submitted,

AMASA COBB, *Ch'n.*

The committee on Town and County Organization to whom was referred

No. 63, A, a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

Have had the same under consideration, and directed me to report the same back with the recommendation that it do pass.

J. P. DICKSON, *Ch'n.*

The committee on Claims to whom was referred the accounts No. 11, A, of William H. Foster, for conveying John Burnett, a convict to States prison at Waupun ;

No. 15, A, of Mosely & Brother, for stationery furnished Superintendent of Public Property, from March, 11, to Dec. 28, 1859 ;

No. 22, A, of T. N. Bovee, for work done and materials furnished Sup't Public Property for use of State, from March 1st, 1859, to January 14th, 1860 ;

Are reported back by bills

No. 112, A, a bill for an act to appropriate to William H. Foster, the sum of \$80 ;

No. 113, A, a bill for an act to appropriate to Mosely & Brother, the sum of \$604 18 ;

No. 114, A, a bill for an act to appropriate to T. N. Bovee, the sum of \$27 45 ;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

Said bills were read first and second times and referred to the Committee of the Whole.

The committee on Roads, Bridges and Ferries have had under consideration bills

No. 28, A, a bill for an act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Menomonee, in Dunn county ;

And respectfully report the same back to the House, with a recommendation that it do pass.

No. 33, A, a bill for an act to lay out a State road from Eau Pleine to Eau Claire ;

And respectfully report the same back to the House with an amendment, and recommend its passage when amended.

No. 73, A, a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse ;

And respectfully report the same back to the House with an amendment, and recommend its passage when amended.

No. 80, A, a bill for an act to amend sections 66 and 84, of chapter 19, of the Revised Statutes, entitled "of highways and bridges ;"

And respectfully report the same back to the House, and recommend that it be indefinitely postponed.

No. 86, A, a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county ;

And respectfully report the same back to the House, with amendments, and recommend its passage when amended.

Mem. No. 25, A, petition of William Padley, and 96 others, for an act to keep and maintain a ferry across the Wisconsin river, at the village of Dekorra, in the county of Columbia;

And

Mem. No. 26, A, petition of Robert Robertson, and 64 others, for an act to keep and maintain a ferry across the Wisconsin river, at the village of Dekorra, in the county of Columbia;

And respectfully report the same back to the House, with a recommendation that they be indefinitely postponed.

C. G. HAMMARQUIST, *Ch'n.*

On motion of Mr. Munn,

Mems. Nos. 25 and 26, A, (aboved mentioned,)

Were referred to the delegation from Columbia county.

The committee on Engrossed Bills, respectfully report:

That they have examined the following bills, and find them correctly engrossed, under rule 48:

No. 10, A, a bill for an act to authorize the Forrest City Bank and the Shawanaw Bank to reduce their capital;

No. 4, A, a bill for an act to authorize the Northern Bank to reduce its capital stock;

No. 72, A, a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 13, A, a bill for an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855;

No. 61, A, a bill for an act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;

No. 97, A, a bill for an act to appropriate to James W. Harvey, the sum of \$7;

No. 98, A, a bill for an act to appropriate to Samuel Klauher, the sum of \$392 56;

No. 94, A, a bill for an act to appropriate to Benjamin Williams the sum of \$50;

No. 93, A, a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50-100;

No. 95, A, a bill for an act to appropriate to Andrew Bishop the sum of \$312;

No. 92, A, a bill for an act to appropriate to E. Martin, the sum of \$30;

No. 96, A, a bill for an act to appropriate to Gabriel Bouck, the sum of \$80 37-100.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills, respectfully report:

That they have examined and compared the following bills, and find them to be correctly engrossed:

No. 3, A, a bill for an act to authorize the Sauk City Bank, and the Wisconsin Bank of Madison to reduce their capital;

No. 8, A, a bill for an act to reduce the capital stock of the Bank of Oshkosh.

M. HOWLAND, *Ch'n.*

MR. SPEAKER :

The committee on Enrolled Bills have examined and compared the following bill, and find the same correctly enrolled :

No. 27, A, an act to amend chapter 185, of the General Laws of 1859, being an act entitled an act to construe chapter 20, of the Revised Statutes, entitled "of regulating fences."

C. MILLER, *Ch'n A.*,

GEO. BENNETT, *Ch'n S.*

Said bill was signed by the Speaker and sent to the Senate.

To the Honorable the Legislature of the State of Wisconsin:

The joint committee on printing, to whom was referred the matter of the petition signed by Robert E. Jones, P. M., bearing date Jan. 4th, 1860, praying for an appropriation to enable the said Jones to complete the translation of "the Declaration of Independence," and the Constitution of the United States and of the State of Wisconsin into the Welsh language, beg leave to report as follows, to wit :

That, although they are in favor of placing the Constitutions, of this State and of the United States, and the Declaration of Independence, within the reach of all classes of our citizens, yet they do not deem it expedient to appropriate money from the State treasury for the purposes set forth in said petition, for the reason that, as your committee are informed and believe, a large proportion of our Welsh citizens are familiar with the English language, and hence have the power to become familiar with the said Constitutions and Declaration ; and for the further reason that, were the Legislature to appropriate moneys for the purposes of such translation, it would amount to nothing, inasmuch as said petition does not ask for the publication of the same after translation.

Finally, your committee are entirely opposed to the principle of making appropriations to any individuals for the purpose of having any work performed, unless some law or authority has first been given to person or persons to undertake such work.

Therefore your committee recommend the adoption of this
GEO. B. GOODWIN, *Ch'n.*

To the Hon. Assembly of the State of Wisconsin:

The committee on Judiciary, to which were referred resolution No. 20, Assembly, and the substitute therefor, offered by Mr. Wheeler, together with joint resolutions Nos. 8 and 9, reported by the committee on Printing, having had the same under consideration, the majority of the committee respectfully report, that in their opinion James Ross, or his assignee, under and by virtue of the contract made and entered into by and between this State and said Ross in the fall of 1858, is entitled to all the State Printing (including the printing of the Governor's Message,) for two years, ending December 31st, 1860; and that no part of the State printing during that period can be legally committed to any other person, (the said Ross or his assignee being ready and willing to do the same,) without the consent of said Ross or the person holding his interest in said contract.

All of which is respectfully submitted.

DAVID S. ORDWAY,
GAB. BOUCK,
H. L. PALMER.

To the Hon. the Legislature of the State of Wisconsin:

The joint committee on Printing, to who was referred a resolution appropriating the sum of six dollars to each member of the Assembly, in addition to his mileage and per diem, for the purpose of purchasing newspapers, beg leave to report, that they are not in favor of said resolution and recommend that the same be indefinitely postponed;

And your committee to whom was referred

Res. No. 11, providing for furnishing members with newspapers during this session,

Beg leave to report, that inasmuch as a resolution is now pending before the House providing for the same subject matter as that contained in this resolution, that said resolution No. 11, be indefinitely postponed, and that the said resolution now pending be substituted instead thereof.

GEO. B. GOODWIN, *Ch'n.*

Said resolution was indefinitely postponed.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:—

I am directed to inform you that the Senate has concurred in the passage of

No. 22, A, a bill for an act to legalize the organization of joint school district No 2, in the towns of Adrian and Tomah, in the county of Monroe;

No. 23, A, a bill for an act to provide for the holding of special terms of the circuit court for the counties of Ozaukee and Washington;

J. Res. No. 7, A, instructing committee on State Prison, with an amendment, and ask the concurrence of the Assembly in amendment.

I am further directed to inform you that the Senate, has passed

No. 8, S., a bill to amend chapter 133, of Revised Statutes, entitled, "of costs and fees;"

No. 9, S, a bill to amend chapter 22, of the general laws of 1859, entitled, "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof," approved February 19th, 1859;

And asks the concurrence of the Assembly in the same.

On motion of Mr. Cobb,

The vote by which

No. 40, A, a bill for an act to extend the time for the payment of principal upon school and university land certificates,

Was, on yesterday, indefinitely postponed,

Was reconsidered.

Mr. Bouck then moved the re-committal to the committee on Education, School and University Lands.

Mr. Miller moved its reference to the committee on the Judiciary.

Mr. Humann moved its reference to the committee on State Affairs.

The motions of Messrs. Humann and Miller were respectively disagreed to, and

The bill was recommitted.

On motion of Mr. Bouck:

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Bovay in the chair.

After sometime spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, reported back the following bills with the recommendation accompanying the same, and asked leave to sit again;

Leave was granted.

No. 28, A, a bill for an act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Monomonee, in Dunn county;

No. 76, A, a bill for an act providing for the bringing of suits upon sheriff's bonds;

No. 112, A, a bill for an act to appropriate to William H. Foster, the sum of \$80.

No. 113, A, a bill for an act to appropriate to Moseley & Bro., the sum of \$604 18;

And,

No. 114, A, a bill for an act to appropriate to T. N. Bovee, the sum of \$27 45;

Without amendment.

No. 33, A, a bill for an act to lay out a State road from Eau Pleine to Eau Claire;

No. 73, A, a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse;

No. 84, A, a bill for an act to limit the liability of counties in certain cases;

And,

No. 86, A, a bill for an act to authorize the laying out of a State road from Viroqua to Victory in Bad Ax county;

With amendments.

No. 80, A, a bill for an act to amend sections 66 and 84, of the Revised Statutes, entitled, "of highways and bridges;"

And,

No. 88, A, a bill for an act to authorize the State Librarian to purchase certain books and to appropriate money therefor;

With recommendation of indefinite postponement.

No. 63, A, a bill for an act to change the boundaries of the counties of Marathon, Shawanaw, and Oconto.

With recommendation of postponement until 26th inst.,

No. 90, A, a bill for an act to provide for the assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive;

With recommendation that it be printed.

REPORT OF THE COMMITTEE OF THE WHOLE,

Taken up.

No. 90, A, was ordered printed.

No. 63, A, was postponed until the 26th inst.

No. 80, A, was ordered printed and recommitted.

No. 88, A, was indefinitely postponed.

No. 76, A, was ordered printed.

Nos. 88, 73 and 86, A, were referred to the Judiciary committee with instructions to report as to their constitutionality.

Nos. 28, 84, 112, 113 and 114, A,
Were ordered engrossed.

On motion,

Mr. Brooks was granted leave of absence for three days.

On motion of Mr. Fairchild,

Account No. 9, A, of J. K. Averill ;

Was referred to the committee on the Judiciary.

On leave, Mr. Cobb introduced

No. 115, A, a bill for an act to legalize certain proceedings
of county courts and courts of probate ;

Which was read first and second times, and

Referred to the committee on the Judiciary.

Mr. Mulholland moved to adjourn,

Which was disagreed to.

By common consent, the order of

BILLS READY FOR A THIRD READING

Were taken up,

When the following bills were severally read a third time
and passed :

No. 4, A, a bill for an act to authorize the Northern Bank
to reduce its capital stock ;

No. 8, A, a bill for an act to reduce the capital stock of the
Bank of Oshkosh ;

No. 10, A, a bill for an act to authorize the Forest City
Bank and the Shawanaw Bank to reduce their capital ;

No. 13, A, a bill for an act to amend an act entitled "an
act to incorporate the Milwaukee & Beloit Railroad Company,"
approved March 29, 1855 ;

No. 61, A, a bill for an act to amend chapter 40, of the
Local Laws of 1859, entitled "an act to authorize the city of
Milwaukee to assess water rents ;"

No. 72, A, a bill for an act to authorize the Bank of Colum-
bus to reduce its capital stock ;

No. 92, A, a bill for an act to appropriate to E. Martin the
sum of \$80 ;

By the following vote :

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden,
Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh,
Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson,
Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Grif-

fin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Wheeler, Wiley, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

No. 98, A, a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50;

By the following vote:

Those who voted in the affirmative were:

Messrs. Alden, Bachuber, Baldwin, Ballentine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockey, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Holton, Howland, Human, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, More, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Wheeler, Wiley, Winter, Wood, Young, and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

No. 94, A, a bill for an act to appropriate to Benjamin Williams the sum of \$50 ;

By the following vote :

Those who voted in the affirmative were,

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Wheeler, Wiley, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

No. 95, A, a bill for an act to appropriate to Andrew Bishop the sum of \$312 ;

By the following vote :

Those who voted in the affirmative were,

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Westcott, Wheeler, Wiley, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Ahlhauser and Sutton—2.

No. 96, A, a bill for an act to appropriate to Gabriel Bouck, the sum of \$80 37 ;

By the following vote :

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Westcott, Wheeler, Wiley, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

No. 97, A, a bill for an act to appropriate to James W. Harvey, the sum of \$7 ;

By the following vote :

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kings-

bury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Wheeler, Wiley, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

No. 98, A, a bill for an act to appropriate to Samuel Klau-ber the sum of \$392 56.

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Boyay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dock-ry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Horton, Howland, Hu-mann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spotts-wood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Wheeler, Wiley, Winter, Wood, Young, and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser and Sutton—2.

Mr. Wheeler moved to refer

No. 3, A, a bill for an act to authorize the Sauk City Bank and the Wisconsin Bank of Madison to reduce their capital,

To the committee on the Judiciary ;

Which was disagreed to.

And

No. 3, A,

Was read a third time and passed.

Mr. Boyay moved to adjourn until Monday at 10 o'clock,
A. M.

Mr. Alden moved to adjourn until Tuesday at 10 o'clock,
A. M.

On motion of Mr. Cobb,
The Assembly adjourned.

SATURDAY, JANUARY 21, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Peck officiated as chaplain.

On motion of Mr. Fairchild,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Wright :

Mem. No. 46, A, remonstrance against any change in the law fixing the rates of legal printing;

To committee on Printing.

By Mr. McKay:

Mem. No. 47, A, of C. W. Marshall and others, to abolish the county board of supervisor's system, and to establish the commissioner system;

To committee on Town and County Organization.

By Mr. Wheeler :

Mem. No. 48, A, of Samuel Hinman and others, asking for an extension of time for the collection of taxes in the city of Beloit;

To Rock county delegation.

ACCOUNTS,

Presented and referred to committee on Claims :

By Mr. Bouck:

No. 26, the account of Josiah Woodworth.

By Mr. Rogers:

No. 27, the account of George Thies.

RESOLUTIONS INTRODUCED.

By Mr. Seaton :

J. Res. No. 10, A,

Resolved by the Assembly, the Senate concurring, That it is hereby proposed to amend section 11, of article 4, of the con-

stitution of this State, so that it shall read as follows : " The Legislature shall meet at the seat of government at such time as shall be provided by law, once in two years, and not oftener, unless convened by the Governor.

Resolved, That this proposed amendment be referred to the Legislature to be chosen at the next general election; and that the same shall be published under the direction of the Secretary of State in such newspaper or newspapers as he may select, three months previous to the time of holding such election ;

Which lies over.

By Mr Wheeler :

Res. No. 36, A,

Resolved, That the Superintendent of Public Property be directed to furnish the Assistant Clerk of the Assembly with five dollars worth of postage stamps—three dollars in one cent and two dollars in three cent stamps ;

Which lies over.

By Mr. Bartlett :

Res. No. 37, A,

Resolved, That the Superintendent of Public Property be instructed to furnish the subordinate officers of the Sergeant-at-Arms, and the several messengers of the House who have not received stationery, such articles of stationery as they may require, the amount not to exceed the sum of five dollars to each ;

Which lies over.

By Mr. Palmer :

Res. No. 38, A,

Resolved, That the Chief Clerk of the Assembly is directed to procure a copy of the opinion of the Supreme Court in the case of James H. Knowlton against the Board of Supervisors of Rock county, and that two hundred copies thereof be printed for the use of the Assembly ;

On motion of Mr. Palmer,
The rules were suspended,
And the resolution adopted.

By Mr. Cobb:

Res. No. 39, A,

Resolved, That the committee on Charitable and Religious Societies is hereby instructed to inquire and report to this Assembly at an early day, what amount of money has been expended upon the State Hospital for the Insane, how such money has been expended, the present condition of the establishment, the amount of money necessary to its completion, the time when it may be ready for occupation, what number of patients it can accommodate when completed, whether the plan adopted and

pursued is in accordance with the organic law, and if not, by what authority the law has been departed from, and any other facts, relating to said institution or its management, as may be important to the Legislature;

On motion of Mr. Cobb,

The rules were suspended for the purpose of considering said resolution;

Mr. Fischer moved to refer it to a select committee;

Which was not agreed to.

Mr. Bouck moved to postpone the further consideration of said resolution until Tuesday next,

Which was agreed to.

By Mr. Griswold:

Res. No. 40, A.,

Resolved, That the Superintendent of Public Property be directed to furnish the Chief Clerk with the necessary postage stamps to be used in ordering newspapers for the Assembly;

On motion of Mr. Griswold,

The rules were suspended,

And the resolution adopted.

On motion the following members were granted leave of absence:

Messrs. Johnson and Westby, for one day;

Messrs. Robertson and Child, for two day;

Mr. Goodwin, until Wednesday next.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Schmidtner:

No. 116, A, a bill for an act to authorize the Governor to appoint commissioner of foreign emigrants;

To committee on State Affairs.

By Mr. Boyd:

No. 117, A, a bill for an act concerning the terms of court in the Fourth Judicial District;

To committee on the Judiciary.

By Mr. Seaton:

No. 118, A, a bill for an act to amend section 42, of chapter 12 of the Revised Statutes, entitled "of counties and county officers;"

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed, under rule 48:

No. 28, A, a bill for an act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Menominee, in Dunn county;

No. 112, A, a bill for an act to appropriate to Wm. H. Foster, the sum of \$80;

No. 113, A, a bill for an act to appropriate to Moseley & Brother, the sum of \$604 18;

No. 114, A, a bill for an act to appropriate to T. N. Bovee, the sum of \$27 45.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them to be correctly engrossed:

No. 14, A, a bill for an act to authorize persons having a lien upon land to pay the taxes upon the same;

No. 9, A, a bill for an act to authorize the Green Bay Bank to reduce its capital and remove its place of business;

No. 20, A, a bill for an act to amend chapter 3, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices;"

No. 41, A, a bill for an act regulating practice in the foreclosure of mortgages in certain cases where parties are unknown;

No. 62, A, a bill for an act to amend section 83, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

No. 64, A, a bill for an act concerning the change of venue in criminal cases in courts of justices of the peace.

M. HOWLAND, *Ch'n.*

The select committee to which was referred

No. 39, A, a bill for an act to repeal chapter sixteen of the Revised Statutes, entitled, "of the duties of assessors in the collection of statistics;"

Have had the same under consideration and herewith report the same back and recommend its passage.

ANDW. ELMORE,
WM. GRISWOLD,
S. F. CLISE,
E. W. YOUNG,
JOHN BOYD,

Said bill was ordered engrossed for a third reading.

The joint committee on Enrolled Bills report that on the 20th instant they presented to the Governor for his approval, bill

No. 27, A, entitled an act to amend chapter 185, of the General Laws of 1859, being an act entitled an act to construe chapter 20, of the Revised Statutes, entitled "of regulating fences;"

GEO. BENNETT, *of Senate*,
C. MILLER, *of Assembly*.

The committee on Education, School and University Lands to whom was referred bill

No. 42, A, entitled a bill for an act exempting certain University lands from taxation ;

Have had the same under consideration, and directed me to report it back without recommendation.

EDWARD D. HOLTON, *Ch'n*.

The committee on Enrolled Bills report, that they have examined and compared the following bills and find the same correctly enrolled :

No. 22, A, an act to legalize the organization of joint school district No. 2, in the towns of Adrian and Tomah, in the county of Monroe ;

No. 23, A, an act to provide for the holding of special terms of the circuit court, for the counties of Ozaukee and Washington.

C. MILLER, *Ch'n*.

Said bills were signed by the Speaker.

To the Honorable the Legislature of the State of Wisconsin:

The joint printing committee to whom was referred the memorial of S. D. Carpenter, State Printer, *de facto*, in regard to the appropriation of the foreign printing to several of the publishers of this State, bearing date January 17, 1860, beg leave to report that they have taken the subject matter of such memorial into consideration, and recommend the passage of the following resolution, to wit :

J. Res. No. 11, A,

Resolved by the Assembly, the Senate concurring, That section 25, of article 4, of the constitution of this State, and section 2, of chapter 114, of the laws of 1858, require all printing for which the State may be liable to pay, to be performed by the State Printer, and that any such printing required to be done in a foreign language, must be done by the State Printer.

All of which is respectfully submitted.

GEO. B. GOODWIN, *Ch'n*.

The question being upon the adoption of the resolution,
Debate was intimated,
And it lies over.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed,
No. 7, S, a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State and to provide for the payment thereof;
In which the concurrence of the Assembly is requested;
I am further directed to present you for your signature, bills
Nos. 1, 2, 3, 4, and 5 S, legalizing the acts of justices of the peace therein named.

SENATE MESSAGE TAKEN UP.

Senate bills No's. 1, 2, 3, 4, and 5, were signed by the Speaker;

No. 7, S, above mentioned,

And

No. 8, S, a bill to amend chapter 22, of Revised Statutes, entitled "of costs and fees,"

And

No. 9, S, a bill to amend chapter 22, of the General Laws of 1859, entitled an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof," approved February 19, 1859, concerning fees of advertising;

Were severally read first and second times, and referred as follows :

No's. 7 and 8, S,

To general file.

No. 9;

To select committee under Res. 22, A.

J. Res. No. 7, A,

Was, on motion of Mr. Palmer, laid over until Tuesday next.

Mr. Miller moved to adjourn,

Which was disagreed to.

On motion of Mr. Bartlett,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Bouck in the chair.

After sometime spent therein, the committee rose and by their chairman reported that they had had under consideration the general file, had gone through with the same, reported back the following bills without amendment, and asked leave to sit again;

Leave was granted.

No. 7, A, a bill for an act to amend chapter 134, of the Revised Statutes, entitled, "of executions and proceedings supplementary thereto.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

No. 7, A,

Was ordered engrossed for a third reading.

By common consent the order of

BILLS READY FOR A THIRD READING,

Was taken up, and

The following bills were severally read a third time and passed:

No. 9, A, a bill for an act to authorize the Green Bay Bank to reduce its capital and remove its place of business.

No. 28, A, a bill for an act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Menominee, in Dunn county.

No. 20, A, a bill for an act to amend chapter 3, of the General Laws of 1869, entitled "an act in relation to the publication of legal notices."

No. 62, A, a bill for an act to amend section 33, of chapter 133, of the Revised Statutes, entitled "of costs and fees."

No. 64, A, a bill for an act concerning the change of venue in criminal cases in courts of justices of the peace.

No. 112, A, a bill for an act to appropriate to William H. Foster the sum of \$80 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh,

Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Grover, Hesk, Howland, Jackson, Judd, Kiefer, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Westcott, Wiley, Winter, Wood, Young and Mr. Speaker—69.

No. 113, A, a bill for an act to appropriate to Mosely & Brother the sum of \$604 18;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Grover, Hesk, Howland, Jackson, Judd, Kiefer, Kingsbury, Langland, Mackay, McKay, Michael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wescott, Wiley, Winter, Wood, Young, and Mr. Speaker—69.

No. 114, A, a bill for an act to appropriate to T. N. Bovee the sum of \$27 45;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Grover, Hesk, Howland, Jackson, Judd, Kiefer, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wescott, Wiley, Winter, Wood, Young, and Mr. Speaker—69.

No. 41, A, a bill for an act regulating practice in the foreclosure of mortgages in certain cases where parties are unknown;

Was ordered printed.

No. 14, A, a bill for an act to authorize persons having a lien upon land to pay the taxes upon the same ;

Was postponed until the 24th inst.

Mr. Boyd moved to reconsider the vote by which

No. 20, A, a bill for an act to amend chapter 3, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices,

Was passed.

Mr. Bartlett moved to adjourn until Tuesday next, at 10 o'clock.

Mr. Judd moved to adjourn ;

Which was disagreed to.

The question occurring on Mr. Bartlett's motion,

The ayes and noes were called for and ordered,

And the motion was lost by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Barden, Barnum, Bartlett, Bouck, Bovay, Bow, Boyd, Bugh, Cole, Dockry, Fairchild, Goodwin, Green, Grover, Kiefer, Kingsbury, Mackay, Mitchell, Munn, Palmer, Patchin, Rankin, Robertson, Schmitdner, Simpson, Sutton, Townsend, Wescott, Wiley and Winter—32.

Those who voted in the negative were

Messrs. Baldwin, Beath, Blackman, Burt, Child, Clise, Cobb, Coles, DeWolf, Dickson, Farwell, Golden, Griswold, Hesk, Howland, Jackson, Judd, Langland, McKay, McMichael, Meigs, Miller, Moore, Mulholland, Ordway, Phillips, Rogers, Seaton, Spottswood, Stannard, Sumner, Upson, Westby, Wood, Young and Mr. Speaker—36.

Mr. Blackman moved to adjourn until Monday, at half-past two o'clock, P. M.,

Which was disagreed to by the the following vote :

Those who voted in the affirmative were

Messrs. Blackman, Dickson, Golden, Griswold, Moore, Rogers, Schmitdner and Mr. Speaker—8.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Goodwin, Green, Grover, Hesk, Howland, Jackson, Judd, Kiefer, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Miller, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Seaton, Simpson, Spottswood, Stannard, Sutton, Townsend, Upson, Wescott, Wiley, Winter, Wood and Young—58.

Mr. Goodwin moved to adjourn until 11 o'clock, A. M., on Tuesday next.

On motion of Mr. DeWolf, the Assembly adjourned.

MONDAY, JANUARY 23, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Boyd,

The reading of the journal of Saturday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Speaker:

MADISON, the 19th of Jan. A. D. 1860.

Honorable Dear Mr. Speaker :

DEAR SIR :—I am very thankful for your kindness for remembering me, and inviting me to open the sessions of the Hon. Assembly with prayers, and I feel myself very much honored by your invitation. But reading the motions, that were made against that proposition, made by so many members of the Legislature, I think it better in such circumstances, not to appear at the Legislature to pray, for know, now, that there are so many members against that unconstitutional and expensive custom. Please therefore, dear sir, have me excused for not appearing to attend your kind invitation.

May the Lord guard you, and all the honorable members of the Legislature, from all evil, guide safely through all the dangers you meet, and help you by His grace to promote the welfare and happiness of our country.

With the highest respect,

Yours,

MICHAEL HAIDER, *Clergyman.*

By Mr. Bugh :
Mem. No. 49, A,

To the Honorable Legislature of the State of Wisconsin :

The undersigned, as President of the Editorial Association of Wisconsin, has the honor of herewith presenting the remonstrance of the publishers of papers, in this State, against the passage of bills, now before the Legislature, reducing the fees of legal advertising from the rates as now established by

law. The names attached to the remonstrance, are such only as have signified by letter their desire to so remonstrate—other names, embracing in the aggregate the entire list of publishers, will be presented as joining in the remonstrance; and in presenting this, I would respectfully ask in behalf of the editors and publishers of the State, that these papers may not only be received and properly referred, but that legislative action on the measures remonstrated against may be suspended until such time as the petitioners may all be heard, and proper consideration given the matters referred to.

In presenting this remonstrance, I ask the privilege of accompanying it with the statement of a few facts and suggestions deemed worthy of consideration in connection with the subject.

The publishers of the State have never asked any special favor of the Legislature—they ask nothing now but what is “clearly right.” The printer’s calling is a trade, governed as all other trades are, by public demand—by the circumstances surrounding it, and carrying with it no patronage or authority, save that public favor and support which is secured to it through merit. The trade is not an office created and sustained by statute law—not a creature of legislation, but a calling, engaged in as other civil pursuits are engaged in, dependent entirely for existence upon the patronage which legitimately belongs to it—sustained and regulated in its awards as other pursuits are sustained and regulated, through prices and wages affording a fair and just compensation, agreed upon between the employer and the employed. The trade of the printer, so far at least as his rights and privileges—his wages and dependencies, are concerned, stands to community in precisely the same relation as other trades; and should be no more restricted or hampered by special legislation than are other trades and pursuits. The carpenter is permitted to make his own contracts, unrestricted by law; so of the cabinet maker, the shoemaker, the tin-smith, and all other mechanics—the merchant is permitted to buy and sell as he may deem most advantageous to himself—the lawyer, the doctor, and indeed all other professions, save the liquor dealer and showman, are permitted to follow their several pursuits uncontrolled, governed only by the laws of trade—of supply and demand. Certainly the publisher is not one whose business needs to be licensed, as public evils and nuisances are licensed; or restricted as a wrong or evil, to be tolerated only to a certain extent. The publisher, while he has to encounter all the difficulties, and be subjected to all the attendant circumstances which influence other trades and professions, has not the privilege under the law, of fixing a

price upon his own labor, but must turn to the statute book to determine, not what is his right, but what he is permitted to receive for service he alone is capable of estimating the proper price for. There is such manifest injustice in this, that it would seem hardly possible that in the further consideration of the subject, the Legislature could, influenced by that high sense of justice which should govern all legislative bodies, magnify the evil complained of, instead of removing it altogether—leaving the printer, in the price of his labor, upon equal ground with other mechanics.

In the consideration of this subject, there seems to be a misconception of the relation the publisher really bears to the public, and to official position. The publisher of a newspaper has no duty to perform that places him in the position of a public officer. He is, in the publishing of legal notices, but the agent of the officer employing him, and such advertising or patronage is not his of right, but something that may be given at will to another. He has no legal claim to it, and such patronage is not a positive resource, but an accidental or contingent support. His paper must be issued, if issued at all, whether such patronage fall to him or not. It is quite different with the public officer. He accepts the position, knowing its duties and its compensation, and incurs no expense or labor not known to him at the time of accepting the trust. He is the mere agent of the law—is governed by it, with a fixed salary and term of office. There is no parallel in the two cases; and while it would be both just a proper to fix the compensation of the one, there is an absolute injustice in fixing it in the other, involving, as it does, labor and expense which the law cannot estimate or regulate. The officer receives liberal, and sometime exorbitant, fees, and is in the active discharge of the duties of his office but a small portion of the time; while the publisher labors unceasingly, and in the compensation he receives, is limited to the lowest rates. And, while the publishers would not ask that the fees of public officers be reduced, believing that all men are "worthy of their hire," they do protest against that system of legislative action which makes such exception, and individualizes the printer as the only one in the list of honorable tradesmen who should be taxed by unnecessary and unjust restrictions.

While asking for nothing but what is "clearly right," it is possible that the publishers of the State may, in the action of the legislature, be compelled to submit to something radically "wrong;" and it is to avoid such a contingency, that your petitioners feel called upon to step aside from their avocations, and address you upon a subject so intimately connected with their business and interests.

There is now before the Legislature, two bills—one of which reduces the fees, per tract or lot, for advertising delinquent lands; the other reduces the fees, per folio, for other legal advertising. There are some facts connected with these matters, that should be considered in your action upon them. Lists of lands, whether advertised by State or County, are required to be set in tabular form, requiring type, in "sorts," for that particular use—such type is expensive, and used only for such purposes, and generally once, at most, but twice a year. The setting of the type on work of this kind, costs the publisher twice (sometimes more,) the price of ordinary work, and has to be done, not only strictly in accordance with law, but with such care and correctness as to be attended with considerable additional expense; in such publications there must be neither error, delay, or omission. For thirteen consecutive weeks the forfeited lists must be advertised—for which the printer, under the present law, receives 30 cents per tract,—about what the officer receives for offering them for sale—occupying, perhaps, one minute of his time. It is true that when the list is long, the aggregate amount is large—it is equally so to the advantage of the officer selling the lands; but in the great majority of cases, the lists are small; and the fees, if not chargeable upon non-residents and speculators, are too small to be burdensome to those who suffer their lands to be advertised; while the profit to the printer is not so great as to make his position either enviable, or of serious public alarm. The fees, per folio, for other legal advertising—embracing sheriff's sales, foreclosures, &c., was fixed by the last Legislature, at prices urged by the publishers of the State; and such prices are now, as they were at the time of the enactment, considered but a fair equivalent for the service rendered. Such advertisements are required to be set in a compact or "solid" form, and with great care—they must be published for a considerable time, and with regularity—for which the publisher receives 60 cents per folio, for the first, and 30 cents per folio for each subsequent insertion. Considering the amount of matter, and the unusual care and punctuality required in their publication, such notices do not now pay as high as miscellaneous advertising. In considering this matter, the following facts should not be without their influence:

1st. All legal advertisements take precedence of regular customers—the law must be complied with, and such advertisements must be inserted, often at the expense of "stopping the press" to meet a "day certain" of sale.

2d. All legal advertisements should be set in new, or good type, so as to give a perfect impression—the omission of a

letter or figure often changing the sense, and invalidating the notice.

3d. All legal advertisements require infinitely more care and attention than other notices—common advertisements may go out erroneous, without seriously affecting rights, but not so with the other class—a legal notice involves legal rights, and unless it appears correctly, rights are jeopardized, and serious delays and injuries follow.

4th. Legal notices, especially forfeited lists, are required to be published regularly, and to the exclusion of other matter of more interest to the general reader; their publication being a source of not unfrequent complaint on the part of subscribers.

Such are some of the reasons, on which is based the remonstrance herewith presented. It is discouraging to the *laborers* of our craft, to thus have the price of their labor undervalued, and to be thus forced to receive so small a return upon their capital invested; while there would, at the same time, seem to be a *premium* offered to officials and speculators in the terms of the proposed amendments—which, while they seek to redress no grievance in official fees, are unjust and illiberal in their bearing upon the Press—permitting the county treasurer to still receive twenty-five cents for selling a tract of land, which the printer is required to advertise regularly for thirteen weeks, before being entitled to that amount. There is no justice in this; and even this inequality, unjust as it is, the proposed amendments seek to still further enlarge, by reducing the price of labor, and permitting the official fee to go unquestioned. The fees of officers, in most instances, are paid at the time of rendering service—payment is made the printer only after the completion of his work, and not unfrequently till after serious delay, and then in depreciated orders. There is too wide a difference in these relations to admit of mistake—the printer furnishes capital, the officer none; the first, performs much and difficult manual labor; the second but little—yet both are paid the same, under the present law; the first, is paid at the pleasure of an auditing board; the latter receives his pay at the time of performing his duty.

If, as it is alleged, the present rates are burdensome, how is it that the speculator and money-lender, who performs no labor, is allowed by law *twenty-five per cent.* on all tax certificates he can buy with his capital? Is there not in this an undue advantage given to the man of *money*, over the man of *labor*? The publishers do not concede that in the legal fees now established, they receive anything more than a fair equivalent for their time, labor and capital; yet if the public good demands a retrenchment of this kind, they have a right to demand that

it be made upon all alike—let the pruning-knife be applied, not to printers alone—not to a single branch of industry, but to officials and speculators. The Press should not be made the “scape goat” for all the sins of official profligacy—let the laborer enjoy his reward ; and if reform is needed, look first to the perquisites that are now, and ever have been, allowed by law to the favorites of wealth and official station.

The law which one of the bills referred to seeks to change, has been in existence but one year. It establishes fair, reasonable rates ; but not as high as is allowed in some of the other States. Most of the advantages arising from those rates, accrue to the country Press. In our large towns and cities, the miscellaneous patronage is relied upon for support—in the new counties, the legal advertising is the main source of nourishment, and without it the papers cannot live.—During the past year, quite a number of papers have been suspended for the want of a living support ; and with the reduction of rates contemplated by the bills now before the Legislature, a still further suspension must follow. The advantages to the new counties of having a local paper, I will not undertake to estimate—let the representatives say whether they shall be wiped out or not. There are about one hundred and thirty-five papers published in the State ; of which number, but very few, even with present legal rates, afford more than a bare living to the publishers ; and none are making wages so extravagant as to call for legislative interference. If the press of the State cannot be permitted to go unrestricted, save by its own interests and the medium which competition establishes, may it not be asked that such restriction, if restriction there must be, may be just in its conditions, and not destructive to the very existence of the country press. This appeal is directed, not more to the magnanimity, than the high sense of justice which should govern representatives—if it is an object to have an able, free press, the nourishment necessary to its existence must not be withdrawn—let reform and retrenchment go on, but in doing so do not strike first and heaviest at one of the most important interests of the State. Hear, before you strike.

Respectfully submitted, on behalf of the publishers of the State.

GEORGE HYER,
President of Wis. Editorial Association.

To the Senate and Assembly of the State of Wisconsin :

The undersigned, connected with the Press of this State as Editors, Publishers, or otherwise, learning that bills have been

introduced in the Legislature which make a material reduction in the prices to be paid for doing legal publishing, &c., respectfully remonstrate against their passage, or the passage of any other act which will diminish the fees to be paid for doing legal printing. The present prices were established by a law of the last session, in conformity to a request made by the Editors and Publishers of this State, assembled in convention; and while they are far below the rates paid in many other States, still they are such as will be satisfactory to the Press of this State if allowed to remain unchanged. Asking your honorable body to do no wrong to the Press by placing a limit upon the prices to be paid for printing below that now fixed by the statutes, but to do it, as well as all parties concerned, exact justice by suffering the rates to remain as they are, we are,

Very respectfully,

J. A. Smith, Editor Fond du Lac "*Commonwealth*."

Bryant & Lightbody, Publishers "*Commonwealth*."

S. M. Smead, Editor and Publisher "*Democratic Press*,"
Fond du Lac.

Frank Hyde, Editor Berlin "*Democrat*."

Geo. Pratt, and } Editors "*Democrat*," Beloit.

James H. Reigert, }
Finney & Davis, Editors and Publishers "*Democrat*," Osh-
kosh.

James V. Fitch, Editor and Publisher "*Gazette*," Fox Lake.

Y. T. Lacy, Editor and Publisher "*Times*," Albany.

J. T. Farrar, Editor "*Democrat*," West Bend.

Ernst F. Herzberg, Editor and Proprietor of the "*Milwaukee Volksblatt*."

Sharpstein & Lathrop, Publishers Milwaukee "*News*."

Wm. M. Watt, Editor and Publisher "*Jeffersonian*."

Horatio Pratt, and } Editors "*Journal*," Beloit.

James A. White, }
Wm. C. Rogers, Editor and Publisher "*Republican*," La
Crosse.

J. K. Averill, Editor and Publisher "*Chief*," Tomah.

N. C. Hawkes, Editor and Publisher "*Young America*," Del-
afield.

B. S. Heath, Editor "*Conservator*," Menasha.

L. B. Wright, Editor "*Freeman*," Waukesha.

R. B. Wentworth and } Editors "*Record*," Portage City.

A. J. Turner, }
Burdick, Townsend & Co., Pub. "*Price Current, &c.*," Mil-
waukee.

S. D. Carpenter, and } Editors and Publishers, "*Patriot*,"
Geo. Hyer, } Madison.

H. Borschsenius, Editor and Publisher, "*Nord Sternen*," Madison.

C. Swayze, Editor and Publisher, "*Pinery*," Stevens' Point.

J. W. Rist, Editor "*Argus*," Wautoma.

Edward Rullman, Editor and Publisher "*Madison Zeitung*."

C. Fr. Solberg, Editor and Publisher "*Emigranten*," Madison.

D. J. Powers & Co., Eds. Publishers of "*Wisconsin Farmer*."

Mrs. J. A. Brown, }
C. C. Britt, and } Publishers "*Badger State*," Portage City.

J. M. Doty, }
Ansel N. Kellogg, }
Geo. D. Perkins, } Editors and Publishers "*Republic*,"
H. A. Perkins, } Baraboo.
J. W. Blake, }

Simon Sekles, Editor and Publisher "*Demokrat*," Madison.

S. Ryan Jr. Editor Appleton "*Crescent*."

E. B. Quiner, late Editor Watertown "*Register and Chronicle*."

Harrison Reed, Editor "*Journal*," Madison.

Atwood, Rublee & Reed, Publishers "*State Journal*," Madison.

On motion of Mr. Fairchild,

Said memorial was ordered printed at length upon the journal, and referred to Printing committee.

By Mr. McKay :

Mem. No. 50, A, a remonstrance of J. K. Averill, against reducing the rate of legal publishing ;

To committee on Printing.

ACCOUNTS,

Presented and referred to committee on Claims :

By Mr Fairchild :

No. 28, the account of Bliss, Eberhard & Festner.

By Mr. Lyon :

No. 29, the account of William G. Everit.

RESOLUTIONS INTRODUCED.

By Mr. Bugh :

Res. No. 41, A.,

Resolved, by the Assembly, the Senate concurring, That a joint committee of five, three by the Assembly and two by the

Senate, be appointed to examine into our present system of county government, and report at an early day whether, in their opinion, any change of the same is necessary, and if so, to report a bill therefor ;

Which lies over.

By Mr. Langland :

Res. No. 42, A,

Resolved, That the committee on Education, School and University Lands be instructed to examine the law of 1859, entitled "an act to provide for the permanent township school library fund," and report to this Assembly what further legislation, if any, is necessary, in order to carry out the provisions of said act ;

Which lies over.

By Mr. Cobb :

Res. No. 43, A,

Resolved, That the committee on the Judiciary be and they are hereby instructed to report to this Assembly, whether, in their opinion, many or all of the notices, &c., now required by law to be published in newspapers, cannot be dispensed with, or published in some other manner, and thereby release that much abused and continually outraged institution, generally termed the "Press," from the restriction and surveillance of the law ;

Which lies over. "

By Mr. Howland :

J. Res. No. 12, A,

Resolved, by the Assembly, the Senate concurring, That a joint committee of five, three from the Assembly and two from the Senate, be appointed to draft amendments to the Constitution of this State on the following points : to provide

For biennial sessions of the Legislature, and limiting the duration of such sessions ;

For an increase of the per diem of members of the Legislature ;

For an increase of the Governor's salary ;

For abolishing the grand jury system ; and

For a change in the time of electing members of Assembly ;

Which lies over.

RESOLUTIONS CONSIDERED.

J. Res. No. 8, A,

Relative to printing Governor's Message ;

Introduced by committee on Printing on 18th inst.,

Was postponed until to-morrow.

J. Res. No. 9, A,

Translating Governor's Message under his direction ;
Introduced by committee on Printing on the 18th inst.,
Was postponed until to-morrow.

J. Res. No. 10, A,

Proposing to amend section 11, of article 4, of the constitution ;

Introduced by Mr. Seaton on the 21st instant,
Was referred to the committee on the Judiciary.

J. Res. No. 11, A,

Declaring State Printer entitled to all printing for which the State is liable to pay ;

Introduced by joint committee on printing on Saturday,
Mr. Cobb moved to amend by adding,

" But that the provision of the constitution above referred to, is so obscure that none of our predecessors have had the shrewdness to discover it, or the honesty to obey its requirements when discovered."

Mr. Bugh moved to postpone the further consideration of said resolution until Wednesday next.

Mr. Rankin moved to adjourn until 3 o'clock, P. M., to-morrow.

Mr. Judd moved to amend by inserting " 2 o'clock, this afternoon."

Mr. Townsend moved to adjourn ;

Which was not agreed to.

The question occurring on Mr. Judd's motion to amend,
It was lost.

The question occurring on Mr. Rankin's motion to adjourn until 3 P. M., to-morrow,

The ayes and noes were called and ordered, and it was
Lost by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Fairchild, Patchin, Rankin and Schneider—5.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barden, Barnum, Beath, Bo-vay, Bow, Boyd, Bugh, Burt, Clise, Cobb, Coles, Dockry, Golden, Green, Grover, Hesik, Howland, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Langland, Mackay, Mc-Kay, McMichael, Miller, Mulholland, Phillips, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Winter, Wood, Young and Mr. Speaker—15.

On motion of Mr. Bugh,

The Assembly adjourned.

TUESDAY, JANUARY 24, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Bartlett,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Barnum :

Mem. No. 51, A, of S. M. Parsons and others, in relation to the education of criminals, &c. ;

To committee on State Prison.

By Mr. Bugh :

Mem. No. 52, A, remonstrance against reduction of legal rates for advertising ;

To committee on Printing.

Also,

Mem. No. 53, A, in relation to Fire and Marine Insurance companies ;

To committee of the whole, with bill No. 48, A.

By Mr. Mitchell :

Mem. No. 54, A, remonstrance of L. W. Powell against reducing the rates of legal publishing ;

To committee on Printing.

By Mr. Alden :

Mem. No. 55, A, remonstrance of N. C. Hawks, of Delafield, against the passage of an act reducing the fees paid for legal printing ;

To committee on Printing.

By Mr. Ordway :

Mem. No. 56, A, remonstrance of G. H. Wells and Carr Huntington against reducing rates of printing ;

To committee on Printing.

By Mr. Kingsbury :

Mem. No. 57, A, of C. T. Moore and 67 others, for reduction of tax upon insurance companies ;

To committee of the Whole, with bill
No. 48, A.

By Mr. Holton:

Mem. No. 58, A, remonstrance of David Ferguson and others, against the passage of an act regarding "costs and fees;"

To committee on the Judiciary.

By Mr. McMichael:

Mem. No. 59, A, remonstrance of W. D. and T. A. W. Merrill, against the reduction of printer's fees;

To committee on Printing:

By Mr. Barnum :

Mem. No. 60, A, of D. R. Bean and many others, desirous that the school law may be so altered that district officers shall be elected annually;

To committee on Education.

By Mr. Horn :

Mem. No. 61, A, of school board of district No. 8, and of the superintendent of the town of Burlington, Racine county, for an act to enlarge said district;

To committee on Education.

By Mr. Bartlett:

Mem. No. 62, A, remonstrance of Gilbert E. Porter, against the reduction of printer's fees;

To committee on Printing.

By Mr. Speaker:

Mem. No. 63, A, of Wm. D. Merrill and others against reducing the legal rate of printing ;

To committee on Printing.

ACCOUNTS,

Presented and referred to committee on Claims :

By Mr. Palmer :

No. 80, the account of James H. Hitchcock.

By Mr. Fairchild:

No. 31, the account of Donaldson & Treadway.

Mr. Farwell re-introduced

No. 18, the account of C. Abbot, which was referred

To the committee on the Judiciary.

RESOLUTIONS INTRODUCED.

By Mr. Townsend :

Res. No. 44, A,

Resolved, That the State Treasurer be, and he hereby is requested and directed to report for the information of the Assembly at an early day,

1st. Whether he has directly or indirectly ever sold, exchanged or disposed of to any banking association, corporation, or person, any gold or silver coin belonging to any fund of the State in his possession ; and if so, at what rate per centage, what amount was realized, if any, and whether the same was credited to the State, or retained, as the private property of said Treasurer.

2d. Whether he, the said Treasurer, has deposited any of the funds of the State, or any department thereof, with any banking association, corporation, or person, the average amount of such deposit, if any, as near as may be, how much, if any sum he has received for the use of any such deposits, directly or indirectly, and whether the State has been credited with any sum or sums so received, if any ; or whether the same has been retained by said Treasurer.

3d. Whether he has bought, sold, or dealt in exchanges, drafts, or other paper with any bank or corporation or person making use of any public funds in any manner, and if so, to what amount and at what rate per cent., and whether he has credited the State with any sum so received, and how much, if any, or whether he has converted the same to his own private use.

4th. Whether he has received at any time from any treasurer, officer, agent, or other person owing money to the State, or any department, the bills of any Wisconsin bank at less than par ; and if so, how much was so received, and were the same bills paid out to public creditors at the same rate of depreciation they were received into the State Treasury, and if so, to whom, and if not, was the State credited with the difference, or was the same retained by the Treasurer to his own private use.

5th. Whether he owns or possesses, directly or indirectly, any interest in any banking association, or the profits thereof, and if so, how much and what bank or banks ; and whether any such bank, corporation, or person has had any deposits of public moneys, specie, exchange, or other special accommodation from said Treasurer, and what the amount of the same, when paid, and to whom, and if so, whether any profit has been received from such exchanges, deposits, specie or otherwise, and credited to the State, or retained as the private property of said Treasurer.

6th. Whether he has received from the use of the public funds any revenue or profit, other than the fees and salary provided by law, and if so, how much, and from what source was the same received ;

Which lies over.

By Mr. Schmidner :

J. Res. No. 12, A,

Resolved, by the Assembly, the Senate concurring, That, a joint select committee of two from the Senate and three from the Assembly, be appointed to inquire and report, at an early day, whether any and what legislation may be necessary or proper to encourage and secure the investment of capital in the erection of factories, and in the business of manufacturing in this State ; and also to inquire and report whether any and what change in the interest laws are required in order to promote the business interests of the State, to encourage manufacturing and the mechanic arts ;

Which lies over.

By Mr. Humann :

Res. No. 45, A,

Resolved, That the committee on State Lands be and the same is hereby instructed to report, at an early day, to the Assembly, whether it would not be beneficial to the State at large, to assign certain portions of State lands to actual settlers, free from charge therefor ;

Which lies over.

By Mr. Keogh :

Res. No. 46, A,

Resolved, That the committee on Printing be and they are hereby instructed to report to this Assembly whether, in their opinion, the fees now asked and received by the legal profession, for the conducting of all cases in our courts, are not so exorbitant and oppressive as to require at our hands the adoption of a law restricting and defining their charges ;

Which lies over.

By Mr. McMichael :

Res. No. 47, A,

Resolved, That the Superintendent of Public Property be directed to furnish each member of the Assembly, the Chief Clerk and Sergeant-at-Arms, with two dollars worth of three-cent postage stamps, and three dollars worth of one-cent stamps ;

Which lies over.

By Mr. Elmore :
Res. No. 48, A,

WHEREAS, Wisconsin still is one of the States of the Union, and whereas it is a time honored and proper custom to have the flag of our common country waving its folds over the capitol during the sessions of the Legislature, therefore

Resolved, That the Superintendent of Public Property be, and he hereby is directed to cause the stars and stripes, our national flag, to be displayed each day during the sitting of the Legislature, or either branch thereof, in some suitable place on the top of the capitol building ;

Which lies over.

By Mr. Wood :
Res. No. 49, A,

Resolved, That whenever during the present session of this Legislature, this Assembly may adjourn on Saturday, that it adjourn until the next succeeding Monday, at 2 o'clock, in the afternoon ;

Which lies over.

On motion, Mr. Miller was granted leave of absence for one day.

On leave, Mr. Cobb introduced
Mem. No. 64, A, of the American Medical Association ;
Which was referred to the committee on Medical Societies,
&c.

RESOLUTIONS CONSIDERED.

J. Res. No. 8, A, relative to printing Governor's Message ;
Introduced by the committee on Printing on the 18th inst.

Mr. Cobb moved to strike out all after the word "concurring," and insert

That 6000 copies of the Governor's Message be printed in pamphlet form, by the State Printer, for the use of the Assembly, and that the Superintendent of Public Property be, and he is hereby, authorized and directed to purchase from B. Domschke, 1,500 copies of the Milwaukee Atlas; from H. Linderman, 1,500 copies of the Watertown Volks Zeitung ; from the publishers of the Madison Zeitung, 1,500 copies of the Madison Zeitung ; from the publishers of the Emigranten, 2000 copies of the Emigranten ; from the publisher of the Newsbode, 1000 copies of the Newsbode, each of said papers to contain the Governor's Annual Message for the year 1860 ; and from John Jones, of LaFayette county, 1,000 copies of the said Message in the Welch language, at a cost not to exceed ten cents per copy for each newspaper and pamphlet furnished.

And that, for the purpose of carrying the above resolution into effect, the Governor is hereby authorized to cause his Annual Message for the year 1860 to be translated into the Welsh language, at a cost not to exceed fifty dollars.

Mr. Horn moved to strike out the paragraph relating to the Welsh language.

Pending which,

The morning hour expired.

Mr. Bartlett moved to suspend the rules for the purpose of considering said resolution;

Which was not agreed to.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed

No. 21, S, a bill for an act to prescribe the time for holding courts in the Third Judicial Circuit ;

No. 44, S, a bill for act to authorize Ephraim Kingsbury, his successors and assigns, to erect and maintain a boom on the Wisconsin river, in Sauk county ;

No. 51, S, a bill for an act to authorize the holding of a special term of the circuit court in and for the county of Kenosha ;

In which the concurrence of the Assembly is requested.

SENATE MESSAGE CONSIDERED.

The said bills,

Nos. 21, 44 and 51, S,

Were severally read first and second times, and referred as follows :

Nos. 44 and 51, to the general file ;

No. 21 to the delegation from the Third Judicial Circuit.

The Assembly refused to concur in the Senate amendment to

J. Res. No. 7, A,

Instructing the State Prison Committee

Mr. Bovay moved that the Assembly resolve itself into a Committee of the Whole on the Governor's Message ;

Which was not agreed to.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Cobb in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 90, A, a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive;

With an amendment.

No. 8, S, a bill to amend chap. 183, of the Revised Statutes, entitled "of costs and fees;"

And

No. 89, A, a bill for an act to repeal chap. 16, of the Revised Statutes, entitled "of the duties of Assessors in the collection of statistics;"

Without amendment.

No. 7, S, a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor;

With recommendation of indefinite postponement.

No. 76, A, a bill for an act providing for the bringing of suits upon sheriff's bonds;

With recommendation of reference to the committee on the Judiciary.

No. 71, A, a bill for an act relating to executions on final judgment;

With recommendation that it be made the special order for two weeks from to-day.

REPORT OF COMMITTEE OF THE WHOLE

Taken up.

No. 71, A,

Was made the special order for February 7th;

The amendment to

No. 90, A,

Was concurred in, and said bill was ordered engrossed;

No. 8, S,

Was ordered to a third reading;

Nos. 76, A,

Was referred to the Judiciary committee.

No. 39, A,

Was ordered to a third reading.

Mr. Griswold moved to refer

No. 7, S, a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor ;

To the committee on the Judiciary.

Mr. Ordway moved to postpone the further consideration for two weeks ;

Which was lost by the following vote :

Those who voted in the affirmative were

Messrs. Bartlett, Cobb, Ordway, Wheeler and Wood -5.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Child, Clise, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hayden, Hesk, Horton, Horn, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McKay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Weage, Westby, Whiting, Wiley, Winter, Young and Mr. Speaker—80.

Mr. Griswold then withdrew his motion.

Mr. Bartlett moved to amend the bill by striking therefrom "ten" and inserting "twelve;"

Mr. Horn moved to lay the whole matter on the table,

Which, upon a division, was lost, ayes 33, nays 47.

The question was the taken upon Mr. Bartlett's amendment, And it was lost;

Mr. Bouck then moved to amend section five of the bill, so that it should read, "this act shall take effect and be in force from and after the first day of April next."

Mr. Bouck also moved to refer the whole matter to the committee on printing;

Which was disagreed to;

Mr. Bouck then withdrew his amendment;

Mr. Goodwin moved to amend by striking out the words "ten dollars," and inserting "a sum sufficient to pay for the number authorized by resolution to be taken by each member of the Assembly;"

Which was lost;

The question was then taken upon the indefinite postponement of the bill, and

The Assembly refused to postpone indefinitely by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bouck, Boyay, Bow, Boyd, Dockry, Elmore, Fairchild, Farwell, Fischer, Green, Griffin, Grover, Hesck, Horn, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Mackay, Mulholland, Ordway, Palmer, Patchin, Rankin, Ruan, Schmidtner, Seaton, Simpson, Sutton, Townsend, Wheeler, Wiley and Winter—37.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bugh, Burt, Child, Clise, Cobb, DeWolf, Dickson, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Howland, Johnson, Judd, Langland, Lewis, McKay, McMichael, Meigs, Mitchell, Moore, Munn, Nash, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whiting, Wood, Young and Mr. Speaker—47.

Mr. Young moved to amend by striking out the words "ten dollars," and insert "such sum as shall pay for the nine daily newspapers, or their equivalent in weeklies, to each member of the Legislature, computed according to the published per annum rates of such newspapers respectively;"

Which was not agreed to.

Mr. Townsend moved to lay the whole matter on the table; Which, upon a division, was lost—ayes 33, noes 41.

Mr. Bouck moved to strike out "ten dollars" and insert "one cent;"

To which Mr. Kingsbury submitted the following amendment:

Strike out "one cent" and insert "an amount sufficient to pay for the nine papers ordered by each member of the Assembly, ordered under the resolution;"

Mr. Horn moved to adjourn,

Which did not prevail.

Mr. Kingsbury's amendment was then agreed to, and

The question recurring upon Mr. Bouck's amendment as amended,

It was lost.

Mr. Young proposed the following amendment:

Amend by striking out the words "ten dollars," and inserting instead thereof, "such sums as may be sufficient to pay for nine dailies or their equivalent in weeklies, for each such member or officers, computed according to the published per annum

rates of such paper respectively, as are published in this State, and according to the usual retail price of such papers as are published out of the State."

Mr. Bartlett demanded a division of the question;

And the question first occurred on striking out "ten;"

Pending which,

Mr. Schmidtner moved to take a recess to three and a half o'clock;

Which did not prevail,

The word "ten" was then stricken out of the bill;

And the question occurring upon filling the blanks;

Mr. Holton moved to insert "thirteen dollars;"

Which upon a division, was lost;

Ayes 82, noes 42.

The blank was then filled in accordance with Mr. Young's amendment;

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Child, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Green, Grover, Hayden, Hesk, Horn, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Mackay, McKay, Meigs, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Sumner, Sutton, Townsend, Wheeler, Wiley, Winter, Wood, and Young.—55.

Those who voted in the negative were

Messrs. Ballantine, Barden, Bartlett, Bettis, Clise, Cobb, DeWolf, Dickson, Griffin, Griswold, Hammarquist, Holton, Howland, Judd, Langland, Lewis, Mitchell, Moor, Rogers, Smith, Spottswood, Stannard, Upson, Weage, Westby, Westcott, Whiting and Mr Speaker—28.

The bill was then ordered to a third reading by the following vote :

Those who voted in the affirmative were

Messrs. Alden, Barnum, Beath, Bouck, Bovay, Boyd, Bugh, Burt, Child, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Green, Griswold, Grover, Hesk, Horn, Humann, Hunkins, Jackson, Johnson, Kingsbury, Mackay, McKay, Mulholland, Munn, Ordway, Patchin, Phillips, Robertson, Ruan, Schmidtner, Simpson, Sutton, Townsend, Wheeler, Wiley, Winter, Wood and Young—45.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Bow, Clise, Cobb, DeWolf, Dickson, Goodwin, Griffin, Hammarquist,

Hayden, Holton, Howland, Judd, Keogh, Kiefer, Langland, Lewis, McMichael, Meigs, Mitchell, Moore, Nash, Palmer, Rankin, Rogers, Seaton, Smith, Spottswood, Sumner, Upson Weage, Wescott, Whiting and Mr. Speaker—89.

Mr. Horn moved to reconsider the last vote taken.

Mr. DeWolf asked leave of absence for the committee on Charitable and Religious Associations ;

Which was granted.

On motion of Mr. Elmore,

The Assembly adjourned.

WEDNESDAY, JANUARY 25, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Wheeler,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Meigs :

Mem. No. 65, A, of L. W. Joiner, S. P. Hollenbeck, H. M. Billings, L. M. Strong, and 1,495 others, praying for the removal of the county seat of Iowa county ;

To committee on Town and County Organization.

By Mr. Barnum :

Mem. No. 66, A, remonstrance of mill owners and others at Waukau, against the drainage of Rush Lake ;

To committee on Swamp and Overflowed Lands.

By Mr. Cobb :

Mem. No. 67, A, remonstrance of John Toay and fifteen hundred and forty other legal voters of Iowa county, against

the passage of any law for the removal of the county seat of said county ;

To committee on Town and County Organization.

Also,

Mem. No. 68, A, of Edwin Johnson and two hundred and eleven other legal voters of LaFayette county, residents of what is usually called the "three mile strip," praying to be stricken from LaFayette county and attached to Iowa county;

To committee on Town and County Organization.

By Mr. Westcott :

Mem. No. 69, A, remonstrance of L. & P. D. Hurlbut, against granting a charter authorizing William Knowles and others to build a dam across the Pecatonica river ;

To committee on Roads, Bridge and Ferries.

By Mr. Bunn :

Mem. No. 70, A, remonstrance by F. V. Brainard and others, against any reduction of the fees for legal printing ;

To committee on Printing.

By Mr. Munn:

Mem. No. 71, A, of the Madison, Portage City, and Lake Superior Railroad Company;

To committee on Railroads.

By Mr. Barnum:

Mem. No. 72, A, of E. L. Hubbard and others from Winnebago county, with regard to the disposal of the Swamp Lands of this State;

To committee on Swamp and Overflowed Lands.

By Mr. Griswold:

Mem. No. 73, A, of the board of supervisors for the repeal of chapter 124, of the laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county;

To committee on the Judiciary.

Also,

Mem. No. 74, A, of citizens of Columbia county for the repeal of chapter 124, of the laws of 1853, entitled "an act conferring jurisdiction on the county court of Columbia county;

To committee on the Judiciary.

By Mr. Green:

Mem. No. 75, A, Remonstrance of John P. Hume against reducing the present rate of advertising, &c.;

To committee on printing.

ACCOUNTS,

Presented and referred to committee on Claims:

By Mr. Griswold:

No. 32, the account of Thomas Bendure.

By Mr. Lewis:

No. 33, the account of A. Burnham;

No. 34, the account of Soton G. Dodge;

And

No. 35, the account of J. V. McCall.

On motion of Mr. Rogers,

Mr. Burt was granted leave of absence for one week.

RESOLUTIONS CONSIDERED.

J. Res. No. 8, A,

Relating to the printing of the Governor's Message ;

Was taken up.

Mr. Horn moved to strike out all that portion relating to the Welsh language.

The ayes and noes being called and ordered,

The amendment was lost by the following vote :

Those who voted in the affirmative, were

Messrs. Aßlhauser, Altenhofen, Ballantine, Beath, Bouck, Boyd, Bovay, Burnham, Cole, Coles, Dockry, Horn, Humann, Lewis, Mulholland, Palmer, Patchin, Rankin, Ruan, Schneider, Sutton and Wiley—22.

Those who voted in the negative, were

Messrs. Alden, Baldwin, Barden, Bartlett, Bettes, Bow, Brooks, Bugh, Bunn, Child, Clise, Cobb, Dickson, Elmore, Fairchild, Farwell, Fischer, Goodwin, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hayden, Hesk, Holton, Horton, Howland, Hunkins, Jackson, Kiefer, Keogh, Langland, McMichael, Mackay, McKay, Meigs, Miller, Mitchell, Moore, Munn, Nash, Ordway, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting Wood, Young and Mr. Speaker—63.

Mr. Humann moved to amend by striking out "fifty dollars," and inserting "twenty dollars;"

Which was agreed to.

Mr. Young moved to amend by striking out "1500" wherever it occurs, and inserting "1000;" also by adding after "Madison Zeitung," the words "1000 copies of the publishers

of the Pioneer and Wisconsin, Sauk City; and 1000 copies of the publishers of the Volks Blatt, Racine;

Which was agreed to.

Mr. Horn moved to amend by adding to the last amendment, "and 750 copies of the Wisconsin Democrat, of Manitowoc;"

Which was agreed to.

The morning hour having expired,

On motion of Mr. Palmer,

The rules were suspended for the further consideration of the resolution;

Mr. Dockry moved to amend by adding, "and that in addition to the above, there be printed 1000 copies of the Governor's Message in the Irish language;"

Which was agreed to.

Mr. Barnum moved to amend by adding "and one thousand copies in the Menomonee language, by the State Printer";

But subsequently, on leave, withdrew the same.

Mr. Schmidtner moved to amend by inserting, after the words "in the Irish language," the words, "also 500 copies in Poland language," the translating of this language will be done gratis by the member presenting this amendment!

Pending which,

On motion of Mr. Helton,

The whole matter was laid upon the table.

On motion of Mr. Elmore,

The rules were suspended for the purpose of continuing the regular order of business.

J. Res. No. 9, A,

Translating Governor's message under his direction;

Introduced by committee on Printing, on the 18th inst.;

Was laid on the table.

J. Res. No. 11, A,

Introduced by committee on Printing, on

Mem. No. 21, A,

On the 21st inst.,

Was laid on the table.

J. Res. No. 12, A,

Relative to proposed amendments to the Constitution;

Introduced by Mr. Howland, on the 23d inst.,

Was referred to the Judiciary committee.

J. Res. No. 13, A,

Relative to the investment of capital in the manufacturing business;

Introduced by Mr. Schmidtner yesterday;

Was adopted.

The Speaker appointed, as the select committee under J. Res. No. 13, A,

Messrs. Schmidtner, Stannard and Young.

Res. No. 20, A,

Relative to printing the Governor's message;

Introduced by Mr. Bartlett, on the 10th inst.,

Was laid on the table.

Res. No. 34, A,

For a special committee of five to inquire into the matter of the construction of the Land Grant Railroad, from Fond du Lac northerly to State line;

Introduced by Mr. Goodwin, on the 19th inst.;

Mr. Ordway moved to strike out the first three lines, and insert "that the committee on Railroads be instructed";

Which was agreed to;

And the resolution as amended adopted.

Res. No. 86, A,

Furnishing Assistant Clerk with stamps;

Introduced by Mr. Wheeler, on the 21st inst.;

Mr. Bouck moved to amend by adding, "also to each Messenger one dollar's worth of postage stamps";

Which was agreed to;

And the resolution as amended was adopted.

Res. No. 87, A,

Providing subordinate officers with stationery;

Introduced by Mr. Bartlett on the 21st inst.;

Was adopted.

Res. No. 89, A,

For visiting State Hospital for the Insane;

Introduced by Mr. Cobb, on the 21st inst.;

Mr. Elmore moved to strike out "the committee on Charitable and Religious Societies is hereby instructed," and insert "a select committee of five be appointed;"

Mr. Cobb, moved to amend the amendment, by striking out "a select committee of five be appointed," and insert "the committee on Charitable and Religious Societies are instructed to act jointly with the Senate committee;"

Which was not agreed to;

The question occurring on Mr. Elmore's amendment,

It was adopted;

And the resolution as amended was adopted.

The Speaker appointed as said committee,

Messrs. Mitchell, Elmore, Phillips, Bunn, and Schmidtner.

Res. No. 41, A,

Relative to a change in the system of county government;
Introduced by Mr. Bugh, on the 22d inst.;
Was adopted.

Res. No. 42, A,

Relative to the Township School Library Fund;
Introduced by Mr. Langland, on the 23d inst.;
Was adopted.

Res. No. 43, A,

Relative to notices required by law to be published in newspapers;
Introduced by Mr. Cobb, on the 23d inst.;
Was laid on the table.

Res. No. 44, A,

Requesting certain information from the State Treasurer;
Introduced by Mr. Townsend, on the 24th inst.;
Was laid on the table.

Res. No. 45, A,

Relative to actual settlers on State lands;
Introduced by Mr. Humann, yesterday;
Was adopted.

Res. No. 46, A,

Relative to the fees of the legal profession;
Introduced by Mr. Keogh, yesterday;
Was laid on the table.

Res. No. 47, A,

Furnishing postage stamps;
Introduced by Mr. McMichael, yesterday;
Mr. Horn moved to amend by striking out "two," and insert
"five," also strike out "three," and insert "five;"
Which was not agreed to;
And the resolution was adopted.

Res. No. 48, A,

Directing the display of the stars and stripes,
Introduced by Mr. Elmore,
Was adopted.

Res. No. 49, A,

Relative to adjournment on Saturdays,
Introduced by Mr. Wood on the 24th inst.,
Was laid on the table.
On leave, Mr. Miller introduced

Res. No. 50, A,

Resolved, That the use of this Hall be tendered to the State Medical Society for the purpose of giving their annual address to-morrow evening ;

The rules were suspended,
And the resolution adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred :

By Mr. Bouck :

No. 119, A, a bill for an act to amend section 27, of chapter 182, of the Revised Statutes, entitled "of issues made of trial and judgment in civil actions" ;

To committee on the Judiciary.

By Mr. Bartlett :

No. 120, A, a bill for an act to incorporate the Eau Claire manufacturing and Booming company ;

To committee on Incorporations.

By Mr. Cobb :

No. 121, A, a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions" ;

To the committee on the Judiciary.

And

No. 122, A, a bill for an act to amend section 144, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace" ;

To committee on the Judiciary.

And

No. 123, A, a bill for an act to strike certain territory from the county of La Fayette, and attach the same to the county of Iowa ;

To committee on Town and County Organization.

By Mr. Ordway :

No. 124, A, a bill for an act to permit the Dodge County Bank to reduce its capital stock ;

To committee on Banks and Banking.

Also,

No. 125, A, a bill for an act to make certain records in Brown county, evidence in certain cases ;

To committee on the Judiciary.

By Mr. Wiley :

No. 1.6, A, a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Shawanaw county;
To committee on Swamp and Overflowed Lands.

By Mr. Griswold :

No. 127, A, a bill for an act to reduce the capital stock of the Farmers and Miller's Bank of Milwaukee;
To committee on Banks and Banking.

Also,

No. 128, A, a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county ;"

To committee on the Judiciary.

By Mr. Holton :

No. 129, A, a bill for an act relating to the Milwaukee county court, and to the terms of the Milwaukee circuit court ;
To the Milwaukee delegation.

By Mr. Whiting :

No. 130, A, a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth ;
To the delegation from Walworth county.

By Mr. Meigs :

No. 131, A, a bill for an act to provide for the removal of the county seat of Iowa county ;
To committee on Town and County Organization.

By Mr. Dockry :

No. 132, A, a bill for an act to repeal chapter 115, of the Laws of 1859, entitled "an act to prohibit the selling of intoxicating drinks on Sunday, and certain other days therein named ;"

To committee on Contingent Expenses.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred

Bill No. 115, A, a bill for an act to legalize certain proceedings of county courts and courts of probate ;

have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the same be printed, and when printed be referred to this committee for further action.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to return the same to the Assembly with recommendation that they severally do pass without amendment:

No. 100, A, a bill for an act to amend chapter 22, of the General Laws, of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

No. 103, A, a bill for an act to amend section 2, of chapter 184, of the Revised Statutes, relative to execution and proceedings supplementary thereto.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred Acc. No. 9, the account of J. K. Averill,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and ask to be discharged from the further consideration of said account, for the reason that the Commissioners of School and University Lands have full power to audit and allow all accounts for publishing sales of school lands, and further for the additional reason that said account is not verified according to the requirements of the joint rules of the Senate and Assembly.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 106, A, a bill for an act to repeal section 112, of chapter 15 of the Revised Statutes, of 1858, entitled "an act for the compensation of town officers;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the enacting clause of said bill be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred, bill

No. 118, A, a bill for an act to amend section 42, of chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred bill

No. 117, A, a bill for an act concerning the terms of court in the Fourth Judicial District;

Have had the same under consideration and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage when amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred Account No. 18, A, the account of Chauncy Abbott, Have had the same under consideration, and have instructed me to report by bill, and recommend the passage of the bill herewith reported.

AMASA COBB, *Ch'n.*

Said bill being
No. 138, A, a bill for an act to appropriate to Chauncy Abbott the sum of \$200;

Was read first and second times, and

Referred to the committee on Claims.

The committee on the Judiciary, to whom was referred No. 76, A, a bill for an act providing for the bringing of suits on sheriff's bonds;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend its passage when amended.

AMASA COBB *Ch'n.*

The committee on the Judiciary to whom was referred No. 102, A, a bill for an act to amend section 75, of chapter 183, of the Revised Statutes, entitled "of costs and fees;"

Have had the same under consideration and have instructed me to report the same back to the Assembly and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on Militia, to whom was referred

No. 69, A,

Providing for the removal of the Capitol to Milwaukee:

Have instructed me to report the following as a substitute for said bill:

Section 1. From and after the 22d inst., the Newhall House, the Albany and Young's Halls, Dickinson's Billiard Saloon, the "Home," and the Menomonee Lager Beer Hall, all of Milwaukee, shall be removed to Madison, and shall hereafter be considered as among the institutions of the city of Madison.

F. W. HORN, *Ch'n.*

To the Honorable the Assembly of the State of Wisconsin:

The committee consisting of the delegation from the Third Judicial Circuit, having had under consideration Senate bill

No. 21, respectfully report the same back and recommend that it do pass;

All which is respectfully submitted.

DAVID S. ORDWAY, *Ch'n.*

Said bill was ordered to a third reading.

The committee on Claims, to whom were referred accounts, No. 23, A, the bill of S. R. Fox, for furnishing the Superintendent of Public Property with hardware for the use of the State, from the 7th of March, to the 29th November, 1859;

And

No. 24, A, the account of Simon Sekles, 665 copies of the Session Laws 1859, in the German language,

Have had the same under consideration and would report them by bill

No. 134, A, a bill for an act to appropriate to S. R. Fox the sum of \$133,98;

And bill

No. 135, A, a bill for an act to appropriate to Simon Sekles the sum of \$133;

And would recommend that said bills do pass.

• HEBER SMITH, *Ch'n.*

Said bills were read first and second times and referred to general file.

The committee on State Affairs, to whom was referred

M. C. No. 1, A, a memorial to Congress for a mail route from Waupaca to Shawanaw;

And

M. C. No. 2, A, a memorial to Congress for a mail route from Schleisingerville, in the county of Washington, to the village of Crouchville, in the county of Fond du Lac;

Have duly considered the same, and herewith report them back, with the recommendation that said memorials do pass.

L. J. FARWELL,

L. A. SCHMIDTNER,

M. MITCHELL.

The committee on Claims, to whom was referred

Acc. No. 17, account of C. W. Bennett, Sheriff of Waukesha county, for conveying Joseph Lane and James Hammond, convicts, to State Prison, at Waupun;

Have had the same under consideration, and report back by

Bill No. 136, A, a bill for an act to appropriate to C. W. Bennett the sum of \$65,

And recommend that said bill do pass.

H. SMITH, *Ch'n.*

Said bill was read first and second times, and referred to committee of the whole.

The committee on State Affairs, to whom was referred

No. 91, A, a bill for an act for the publication of the Session Laws in two newspapers in each county, in this State;

Have had the same under consideration, and report the same back with a recommendation that it do pass.

L. J. FARWELL,
L. A. SCHMIDTNER,
M. MITCHELL.

The joint committee on Enrolled Bills, report, that on the 24th inst., they presented to the Governor, for his approval, the following bills :

No. 2, S, a bill for an act to legalize the official acts of Samuel Lattimore, as justice of the peace, in the county of Dane ;

No. 5, S, a bill for an act to legalize the official acts of Isaac C. Steele, as justice of the Peace in the county of Dane ;

No. 4, S, a bill for an act to legalize the official acts of Peter Haroldson, as justice of the peace in the county of Dane ;

No. 3, S, a bill for an act to legalize the official acts of August B. Erbe, as justice of the peace in the county of Dane ;

No. 1, S, a bill for an act to legalize the official acts of Edward O'Hare, as justice of the peace in the county of Dane ;

No. 22, A, a bill for an act to legalize the organization of joint school district No. 2, in the towns of Adrian and Tomah, in the county of Monroe ;

No. 23, A, a bill for an act to provide for the holding of special terms of the circuit court, for the county of Ozaukee and Washington.

GEO. BENNETT, *Senate Com.*
ALBERT WOOD, *Assembly Com.*

The committee on Education, School and University Lands, to whom was referred

No. 49, A, entitled "a bill for an act concerning mortgages to the State, on School lands in the city of Racine," have had the same under consideration.

The committee find that the objects sought by the bill seem to be just and proper, but as there are very important legal questions involved, they beg to report it back to the Assembly with the request that the same be referred to the Judiciary committee.

If it is found that there are no legal obstacles in the way, the committee on Education, School and University Lands are unanimous in recommending the passage of the bill.

E. D. HOLTON, *Ch'n.*

Said bill was referred to Judiciary committee.

Mr. Boyd, on leave, withdrew his motion to reconsider the vote by which

No. 20, A, a bill for an act to amend chapter 8, of the Gen-

eral Laws of 1859, entitled "an act in relation to the publication of legal notices;"

Was passed on the 21st instant.

On motion of Mr. Howland,

The rules were suspended, and

No. 51, S, a bill for an act to authorize the holding of a special term of the circuit court in and for for the county of Kenosha,

Was taken from the general file,

Read a third time and concurred in.

Mr. Elmore called up his motion, made on the 18th inst., to reconsider the vote by which the Assembly refused to order to a third reading,

No. 15, S, a bill for an act relative to the printing of public documents;

The vote was reconsidered, and

No. 15, S,

Was ordered to a third reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

MADISON, January 25, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited with the Secretary of State:

An act to amend chapter 185, of the General Laws of 1859, being an act entitled "an act to construe chapter 20, of the Revised Statutes, entitled 'of regulation of fences;'"

An act to legalize the organization of joint school district No. 2, in the towns of Adrian and Tomah, in the county of Monroe;

An act to provide for the holding of special terms of the Circuit Court for the counties of Ozaukee and Washington.

ALEX. W. RANDALL.

The committee on Education, School and University Lands, to whom was referred

No. 12, A, entitled a bill for an act to authorize the State Superintendent of Public Instruction to apportion to the several wards and towns of Brown county its share of the State School Fund, for 1860."

Have had the same under consideration and direct me to report the same to the Assembly and recommend that it be indefinitely postponed.

The committee have directed me to report a general law on the subject of said bill No. 12, A, as follows:

No. 187, A, an act to authorize towns to assess and collect additional school monies in certain cases and the town clerk to certify thereto;"

And recommend its passage.

EDWARD D. HOLTON, *Ch'n.*

Said bill was read the first and second times,

On motion of Mr. Holton,

The rules were suspended for the passage of the bill.

Whereupon,

On motion of Mr. Horn,

The Assembly adjourned.

THURSDAY, JANUARY 26, 10 O'CLOCK, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Peck officiated as Chaplain.

On motion of Mr. Stannard,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Rankin :

Mem. No. 76, A., remonstrance of C. W. Fitch and J. Crowley against reducing the present legal rates for advertising ;

To committee on Printing.

By Mr. Miller :

Mem. No. 77, A., of the School Board, and other citizens of Elkhorn, to grant additional power to said School Board ;

To committee on Education.

By Mr. Weage :

Mem. No. 78, A., of Wm. Healy and fourteen others to organize School District No. 3, in the town of Burlington, Racine county ;

To committee on Education.

And,

Mem. No. 79, A., remonstrance of Ephraim Sawyer and 108 others against dividing Union School District in the town of Burlington, Racine county ;

To committee on Education.

By Mr. Bettis :

Mem. No. 80, A., of residents of the village of Waupun, to have William Greeno restored to citizenship ;

To committee on State Prison.

By Mr. Wood :

Mem. No. 81, A., remonstrance of Elijah Rich and J. C. Chandler, against reducing the fees for doing legal printing ;

To committee on Printing.

And

Mem. No. 82, A., of L. Van Slyke and 50 others, of Juneau county, that the aggregate tax upon the income of foreign insurance companies be reduced ;

To committee of the Whole, with bill No. 48.

By Mr. Lewis :

Mem. No. 83, A., remonstrance of J. A. Smith and others, against reduction of printer's fees ;

To committee on Printing.

By Mr. Blackman :

Mem. No. 84, A., of S. W. Graves, Henry W. Shultz, Almond Bell and 70 others, to restore Levi B. Hanan to citizenship ;

To committee on State Prison.

By Mr. Munn :

Mem. No. 25, A., of members of the bar, county officers and others of Columbia county, praying that the act approved May 17th, 1858, and entitled "an act conferring jurisdiction on the county court of Columbia county," may not be repealed but amended ;

To committee on the Judiciary.

By Mr. Cobb :

Mem. No. 86, A., remonstrance of Geo. Goldthrup and 20 other legal voters of Iowa county, against the removal of the county seat of Iowa county ;

To committee on Town and County Organization.

By Mr. Speaker:

Mem. No. 87, A., remonstrance of C. W. Fitch and others, against the passage of any bill reducing the advertising fees now fixed by statute for the publication of legal notices;

To committee on Printing.

By Mr. Speaker:

Mem. No. 88, A., of Thos. Dickinson, and 137 others, to enlarge the limits of the city of Racine;

To committee on Town and County Organization.

And

Mem. No. 89, A., of the city council of Racine, for an extension of the limits of said city and against any curtailment thereof;

To committee on Town and County Organization.

And

Mem. No. 90, A., of J. L. Case, and 95 others, to extend the limits of the city of Racine;

To committee on Town and County Organization.

And

Mem. No. 91, A., of T. B. Lacey, and others, to extend the limits of the city of Racine;

To committee on Town and County Organization.

And

Mem. No. 92, A., of Thomas B. Lacey, for relief from a double payment of an Insurance Co. license fee;

To committee on Claims.

By Mr. Speaker:

MADISON, January 25th, 1860.

Hon. W. P. LYON,

Sir:—At a meeting of the State Medical Society held this day, the following resolution was passed:

Resolved, That the members of the Legislature are hereby invited to meet with us to-morrow, (Thursday evening,) at 7 o'clock, at the Assembly Room, to listen to the address of the President and such other addresses as may be offered.

C. G. PEASE,

Secretary State Medical Society.

ACCOUNTS,

Presented and referred to committee on Claims:

By Mr. Elmore:

No. 86, the account of J. H. Wells;

By Mr. Fairchild:

No. 87, the account of C. H. Luce.

RESOLUTIONS INTRODUCED.

By Mr. Palmer :

J. Res. No. 14, A.,

Resolved, by the Assembly, the Senate concurring, That it is inexpedient to act upon any bill to reduce the capital stock of any bank, or to authorize a bank to remove its place of business, until such bank shall have filed in the office of the Secretary of State the certificate of the vote of the stockholders, required by sec. 29, of the Banking Laws ; and that it is inexpedient to provide for the reduction of the capital stock of more than one bank in the same bill.

On motion of Mr. Palmer,

The rules were suspended for the purpose of considering said resolution.

Mr. ~~Stuck~~ moved to amend by adding "and that the Legislature will not reduce the capital stock to an amount less than the number of outstanding circulating notes at time of application ;"

Which was agreed to ;

And the resolution as amended was adopted.

By Mr. Townsend:

Res. No. 51, A.,

Resolved, That the select committee appointed under Res. No. 20, A., be requested to report back bill

No. 9, S., a bill to amend chapter 22 of the General Law of 1859, entitled an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof, and that the Chief Clerk return such bill to the Senate;

Which being of a privileged character,

The question was taken,

And said resolution adopted.

BILLS, &c.

Introduced on leave granted, read first and second times, and referred.

By Mr. Bettis:

No. 138, A., a bill to restore William Green to citizenship;
To committee on State Prison.

By Mr. Palmer :

No. 139, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Milwaukee for the years 1856 and 1857 ;

To Milwaukee delegation, and
Ordered printed.

By Mr. Fairchild:

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane;

To committee on the Judiciary.

By Mr. Child:

No. 141, A., a bill for an act to locate and establish school house sites;

To committee on Education.

By Mr. Townsend:

No. 142, A., a bill for an act relative to persons mining for lead ore, or other minerals;

To committee on Mining and Smelting.

By Mr. Blackman:

No. 143, A., a bill for an act restoring Levi B. Hanan to citizenship;

To committee on State Prison.

REPORTS OF COMMITTEES.

The committee on Roads, Bridges and Ferries, have had under consideration

No. 80, A., a bill for an act to amend sections 66 and 84, of chapter 19, of the Revised Statutes, entitled "of highways and bridges;"

And respectfully report the same back to the House with recommendation that it be indefinitely postponed:

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said town;

And,

Mem. No. 44, A., a petition of certain citizens of the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said town;

And respectfully report the same back to the house, with recommendation that they be referred to the committee on Judiciary.

C. G. HAMMARQUIST, *Ch'n.*

Mem. No. 44, A.,

And,

No. 109, A.,

Were referred to the committee on the Judiciary;

The question being taken on the indefinite postponement of

No. 80, A.,

It was lost by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Bettis, Boyay, Dickson, Fischer, Golden, Griswold, Grover, Hammarquist, Hayden, Hesk, Hunkins, Kiefer, Moore, Munn, Seaton, Weage and Wiley—21.

Those who voted in the negative were

Messrs. Ahlhauser, Barden, Barnum, Bartlett, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, Cole, Coles, Dockry, Fairchild, Goodwin, Green, Griffin, Holton, Horn, Horton, Howland, Humann, Jackson, Keogh, Lewis, Mackay, McKay, McMichael, Meigs, Miller, Mitchell, Mulholland, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—61.

And said bill was ordered engrossed.

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills and find them to be correctly engrossed :

No. 67, A., a bill for an act to amend section 8, of chapter 134, of the Revised Statutes of this State, entitled "of executions and proceedings supplementary thereto."

No. 84, A., a bill for an act to limit the liability of counties in certain cases.

No. 7, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto."

No. 90, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report, that they have examined the following bill, and find it to be correctly engrossed under Rule 48 :

No. 89, A., a bill for an act to repeal chapter 16, of the Revised Statutes, entitled "of the duties of Assessors in the collection of statistics."

M. HOWLAND, *Ch'n.*

The committee on Expiration and Re-enactment of Laws, to whom was referred bill

No. 81, A., a bill for an act to extend the time for the payment of the mortgages executed to the State;

Have had the same under consideration, and have instructed

me to report the same back to the Assembly without amendments, and recommend its passage.

J. B. MOORE, *Ch'n.*

The committee on Claims, to whom was referred the accounts,

No. 14, A., the account of Church & Hawley, for furniture furnished Superintendent of Public Property for the use of State;

No. 21, A., the account of Gleason & Brothers, for hardware furnished Superintendent of Public Property for use of State;

No. 28, A., the account of Bliss, Eberhard & Festner, for stationery for use of State;

No. 19, A., the account of R. S. Lawton, for conveying convictis to State prison;

No. 31, A., the account of Donaldson & Treadway, for matting furnished for use of State;

Have had the same under consideration and would report by bill

No. 144, A., a bill for an act to appropriate to Church & Hawley the sum of \$2354;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., assignees of Gleason & Brother, the sum of 822.20;

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner, the sum of \$427.53;

No. 147, A., a bill for an act to appropriate to R. S. Lawton the sum of \$162;

No. 148, A., a bill for an act to appropriate to Donaldson & Treadway the sum of \$172.50;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

Said bills were read first and second times and

Referred to committee of the Whole;

Except

No. 144, A.,

Which on motion of Mr. Fairchild,

Was returned to the committee, with leave for Church & Hawley to withdraw the account.

MR. SPEAKER;

The committee on Swamp and Overflowed Lands, to whom was referred the following bills, have had the same under consideration, and report as follows:

No. 13, A., memorial of the Board of Supervisors of the

county of Waushara, and others, relative to the Drainage Fund of that county ;

And

No. 36, A., a bill for an act to provide for the disposal and expenditure of the Drainage Fund in the county of Waushara ;

We report an amendment, and recommend the passage of the bill when amended.

No. 46, A., a bill for an act to amend sec. 11, chap. 57, of the Revised Statutes, entitled "of drainage of swamp, meadow and other low lands" ;

And recommend that it be indefinitely postponed.

No. 57, A., a bill for an act to provide for the disposal of the Drainage Fund in the County of Fond du Lac ;

Is reported back, and recommend that the same be referred to the Fond du Lac delegation.

No. 121, A., a bill for an act to provide for the disposal and expenditure of the Drainage Fund monies in Shawana county ;

Is reported back, and its passage recommended.

A. WHITTLESEY, *Ch'n.*

Bill 57, A.,

Was referred to the delegation from Fond du Lac.

The committee on the Judiciary, to whom was referred

Mem. No. 27, A., "for repeal of all laws exempting certain corporations from taxation ;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the same be referred to the select committee on assessments.

AMASA COBB, *Ch'n.*

The recommendation of the committee was concurred in.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment and recommend their passage :

No. 35, A., a bill to change the name of Lucy Bell, and to establish her guardianship and heirship.

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain cases.

AMASA COBB, *Ch'n.*

The recommendation of the committee was concurred in.

The committee on the Judiciary to whom was referred

No. 49, A., a bill for an act concerning mortgages to the State on school lands in the city of Racine ;

Have had the same under consideration, and have instructed

me to report the same back to the Assembly, and recommend that the same be printed, and when printed, referred to said committee.

AMASA COBB, *Ch'n.*

The recommendation of the committee was concurred in.

The committee on Roads, Bridges and Ferries, to whom was referred

No. 78, A., a bill for an act to repeal chap. 270 of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Baily, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin river ;

Respectfully report the same back, and recommend that it be referred to the committee on Territorial Improvements.

C. G. HAMMARQUIST, *Ch'n.*

The recommendation of the committee was concurred in.

The committee on Corporation, to whom was referred

Bill No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled an act for the formation of town insurance companies ;

Report the same back to the Assembly with amendments and recommend its passage when amended.

Mem. No. 28, A., petition of M. Mansfield and fourteen others, citizens of Portage, for an act to amend the charter of the city of Portage ;

Referred to the same committee, is hereby reported back with a recommendation that the same be referred to the delegation from Columbia county.

Bill No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled "of joint stock companies ;"

Referred to same committee, is reported back with a recommendation that the same do pass.

ROMANZO BUNN, *Ch'n.*

Mem. No. 28, A., was referred according to the recommendation of the committee.

The committee on Militia, to whom was referred

No. 89, A., entitled a bill for an act releasing the directors of the "Star Rifle Company," of Oshkosh, Winnebago county, from the obligation of a certain bond ;

Have had the same under consideration, and recommend its passage.

F. W. HORN, *Ch'n.*

The committee on the Judiciary, to whom was referred

Mem. No. 15, A., the petition of citizens of the town of Freedom, in Outagamie county, to extend the time for payment of taxes in said town;

Have had the same under consideration, and have instructed me to report the same back to the Assembly by bill, and recommend the passage of the bill.

AMASA COBB, *Clerk*.

Said bill being

No. 149, A., a bill for an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie;

Was read first and second times,
The rules suspended,
Read a third time and passed,
And the title agreed to.

The committee, composed of the Walworth county delegation, to whom was referred

No. 130, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth;

Would report that they have had the same under consideration, and report the same back, and would recommend that the rules be suspended and the bill pass.

A. WHITING,
C. MILLER,
JAMES CHILD.

Mr. Whiting moved to suspend the rules in order to put said bill upon its final passage,

Which the Assembly refused to do.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

MADISON, January 24, 1860.

To the Assembly:

I have received a copy of Assembly Resolution No. 32, in the following words, to-wit:

"Resolved, That his Excellency, the Governor, be respectfully requested to communicate to this Assembly, any correspondence that may have taken place between His Excellency, or his predecessors in office, and the Secretary of the Interior, concerning the change in the selection of the Swamp and Overflowed Lands by the State, making a survey of the same instead of adopting the surveys of the United States."

In reply to this resolution, I beg leave to state that no correspondence has taken place between myself, or, so far as the

records and files of this office show, between my predecessors in office, and the Secretary of the Interior, on the subject of the Swamp Lands. Whatever correspondence has taken place on the subject, has been with the Commissioner of the General Land Office, and the Surveyor General at Dubuque; and this correspondence, with the other letters cognate to the subject, is quite voluminous.

The only paper from the Secretary of the Interior upon the subject, which has been in my possession, is a copy of a letter addressed by him to the Commissioner of the General Land Office during the last autumn, and this was left by me in the hands of our delegation in Congress, in December last, among other papers for their information.

Should the Assembly desire the whole correspondence upon the subject to be laid before it, such course will be pursued, and an abstract of the letter of the Secretary of the Interior will be given, with the substance of the arguments urged by me personally in reply, in a late visit to Washington, will also be furnished; or access may be had by the committees of your honorable body, in charge of the subject, to the records and files of this Department.

Respectfully,

ALEX. W. RANDALL.

Said message was referred to the committee on Swamp and Overflowed Lands.

Mr. Elmore, chairman of select committee appointed under Res. No. 22, A.,

Pursuant to
Res. No. 51, A.,

Reported back

No. 9, S., a bill to amend chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof," approved Feb. 19, 1859, concerning fees of advertising.

MR. SPEAKER :

I am directed to request the Assembly to return to the Senate for further action

No. 9, S., a bill to amend chap. 22, of the General Laws of 1859, entitled an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof, approved Feb. 19, 1859, concerning fees of advertising;

The return of said bill was ordered.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

No. 92, A., a bill for an act to appropriate to E. Martin the sum of \$30 ;

No. 93, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50 ;

No. 94, A., a bill for an act to appropriate to Benjamin Williams the sum of \$50 ;

No. 95, A., a bill for an act to appropriate to Andrew Bishop the sum of \$312 ;

No. 96, A., a bill for an act to appropriate to Gabriel Bouck the sum of \$80 37 ;

No. 97, A., a bill for an act to appropriate to James W. Harvey the sum of \$7 ;

No. 98, A., a bill for an act to appropriate to Samuel Klauber the sum of \$392 50 ;

No. 112, A., a bill for an act to appropriate to William H. Foster the sum of \$80 ;

No. 113, A., a bill for an act to appropriate to Mosely and Brothers the sum of \$604 18 ;

No. 114, A., a bill for an act to appropriate to T. M. Bovee the sum of \$27 47 ;

No. 5, A., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

No. 16, A., a bill for an act to change the time of holding courts in the county of Richland, in the fifth judicial circuit ; Also,

No. 43, A., a bill for an act to repeal chapter 11, of the General Laws of 1858, entitled "an act to authorize the judge of the sixth circuit to appoint a place for holding the circuit court in the county of Buffalo, with an amendment.

I am further directed to present for your signature

No. 51, S., a bill for an act to authorize the holding of a special term of the circuit court in and for the county of Kenosha.

And also to inform you that the Senate has passed

No. 69, S., a bill to extend the time for the payment of taxes in the city of Beloit ;

And asks the concurrence of the Assembly in the same.

BILLS AND RESOLUTIONS OF THE SENATE,

On their first and second reading:

The Senate amendment to

No. 43, A.,

Was concurred in.

No. 51, S.;

Was signed by the Speaker and returned to the Senate for signature.

No. 69, S.,

Was read first and second times.

On motion of Mr. Wheeler,

The rules were suspended,

The bill read a third time, .

And passed.

BILLS ON THEIR THIRD READING.

The following bills were severally read a third time and concurred in :

No. 21, S., a bill for an act to prescribe the time for holding courts in the Third Judicial Circuit;

No. 15, S., a bill for an act relative to the printing of public documents;

And

No. 8, S., a bill to amend chapter 138, of the Revised Statutes, entitled "of costs and fees."

No. 7, S., a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor ;

By the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Baldwin, Barnum, Beath, Bouck, Bow, Boyd, Bugh, Child, Clise, Cole, Coles, Dockry, Farwell, Golden, Goodwin, Griffin, Grover, Hayden, Holton, Horton, Humann, Keogh, Kiefer, McKay, Meigs, Mulholland, Munn, Ordway, Patchin, Phillips, Robertson, Ruess, Schmitdner, Simpson, Spottswood, Sutton, Townsend, VanderCook, Weage, Westcott, Wheeler, Whiting, Wiley, Wood, Young and Mr. Speaker—49.

Those who voted in the negative, were

Messrs. Ballantine, Bartlett, Bettis, Bovay, Brooks, Bunn, Cobb, Dickson, Elmore, Fairchild, Fischer, Griswold, Hammarquist, Hesk, Howland, Jackson, Johnson, Langland, Lewis, Mackay, McMichael, Miller, Mitchell, Moore, Nash, Palmer, Rogers, Seaton, Smith, Stannard, Sumner, Upson, Westby and Whittlesey—34.

BILLS READY FOR A THIRD READING.

No. 137, A., a bill for an act to authorize towns to assess and collect additional school moneys in certain cases, and the town clerk to certify thereto ;

Was re-committed to the committee on Education.

The following bills were severally read a third time and passed :

No. 7, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled " of executions and proceedings supplementary thereto ; "

No. 14, A., a bill for an act to authorize persons having a lien upon land to pay the taxes upon the same ;

No. 39, A., a bill for an act to repeal chapter 16, of the Revised Statutes, entitled " Of the duties of assessors in the collection of statistics ;

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages in certain cases where parties are unknown ;

No. 67, A., a bill for an act to amend section 8, of chapter 134, of the Revised Statutes of the State, entitled " of executions and proceedings supplementary thereto ; "

And,

No. 84, A., a bill for an act to limit the liability of counties in certain cases ;

Also,

No. 90, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive ;

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hayden, Hesck, Holton, Howland, Humann, Hunkins, Jackson, Keogh, Kiefer, Langland, Lewis, Mackay, McKay, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young, Mr. Speaker—78.

Mr. Baldwin voting in the negative.

BILLS REPORTED

By committee of the whole.

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

Was re-committed to the committee on Town and County Organizations.

On motion of Mr. Bouck,

The Assembly resolved itself into

COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Elmore in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, reported back the following bills with recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 102, A., a bill for an act to amend section 75, of chapter 183, of the Revised Statutes, entitled "of costs and fees;"

No. 148, A., a bill for an act to appropriate to Donaldson & Treadway the sum \$172 50;

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$423 53;

No. 44, S., an act to authorize Ephriam Kingsbury, his successors and assigns to erect and maintain a boom on the Wisconsin river in Sauk county;

No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds;

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial District;

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund monies, in Shawano county;

No. 36, A., a bill for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara;

No. 147, A., a bill for an act to appropriate to R. T. Lawton the sum of \$162.

No. 100, A., a bill for an act to amend chapter 22, of the General Laws, of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

No. 103, A., a bill for an act to amend section 2, of chapter 184, of the Revised Statutes, relative to executions and proceedings supplementary thereto;

No. 136, A., a bill for an act to appropriate to C. W. Bennett the sum of \$65 ;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20 ;

No. 135, A., a bill for an act to appropriate to Simon Sekles the sum of \$183 ;

No. 184, A., a bill for an act to appropriate to S. R. Fox the sum of \$133 93 ;

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain cases ;

No. 35, A., a bill to change the name of Lucy Bell, and to establish her guardianship and heirship ;

No. 89, A., a bill for an act releasing the directors of Star Rifle Co. of Oshkosh, Winnebago county, from the obligation of a certain bond ;

No. 101, A., a bill for an act to amend chap. 46, General Laws 1859, entitled "an act for the formation of Town Insurance Companies ;"

No. 70, A., a bill for an act to amend chap. 73 of the Revised Statutes, entitled "of joint stock companies ;"

No. 130, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth ;

M. C. No. 1, A., a memorial to Congress for a mail route from Waupaca to Shawanaw ;

And

M. C. No. 2, A., a memorial to Congress for a mail route from Schleisingerville, in the county of Washington, to the village of Crouhville, in the county of Fond du Lac ;

Without amendment.

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State ;

With recommendation of reference to committee on Education.

No. 91, A., a bill for an act for the publication of the session laws in two newspapers in each county of this State,

With recommendation of reference to committee on Printing.

No. 69, A., a bill for an act to remove the seat of government from the city of Madison to the city of Milwaukee ;

With recommendation that it lie on the table.

No. 106, A., a bill for an act to repeal section 112, chapter 15, of the Revised Statutes of 1858, entitled "an act for the compensation of town officers ;"

With recommendation that the enacting clause be stricken out.

No. 12, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion to the several wards

and towns of Brown county, its share of the State School Fund for 1860;

No. 42, A., a bill for an act exempting certain University lands from taxation;

No. 46, A., a bill for an act to amend section 11, of chapter 57, Revised Statutes, entitled "of draining swamp, meadow and other low lands;"

And,

No. 118, A., a bill for an act to amend section 42, of chapter 18 of the Revised Statutes, entitled "of counties and county officers;"

With recommendation of indefinite postponement.

On motion of Mr. Bovay,

The Assembly adjourned.

FRIDAY, JANUARY 27, 10 o'clock, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Eggleston officiated as Chaplain.

On motion of Mr. Ruan,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Cobb :

Mem. No. 93, A., remonstrance of Edward Wilkinson and 127 others, legal voters of Iowa county, against the removal of the county seat of Iowa county ;

To committee on Town and County Organization.

By Mr. Beath :

Mem. No. 94, A., of Wm. R. Fox and 150 others, of Dane

county, for a change from the present system of county government to commissioners;

Also,

By Mr. Blackman :

Mem. No. 95, A., of Jonathan Mosher and 95 others, praying for a change in the county government system;

Which were severally laid aside to await the action of the Senate upon J. Res. No. 41, A.

By Mr. Cole:

Mem. No. 96, A, of D. M. Parkinson and 32 other legal voters of Lafayette county, for a law providing for removal of the county seat, and against striking off any portion of said county;

Also,

Mem. No. 97, A., of Elihu Hall and 42 other legal voters of Lafayette county, for a law providing for the removal of the county seat, and against the striking off any portion of the territory of said county;

Which were severally referred to

The committee on Town and County Organization.

By Mr. Blackman:

Mem. No. 98, A., of F. Lester and others praying for a change of time of paying the interest on swamp land certificates;

To committee on Swamp and Overflowed Lands.

By Mr. McMichael:

Mem. No. 99, A., remonstrance of J. A. Somerly and Royal C. Bierce, editors of North Western Times, against the reduction of the price of legal printing;

To the committee on Printing;

By Mr. Horn :

Res. No. 52, A.,

Resolved, That his Excellency, the Governor, be requested to communicate to the Assembly any correspondence with the Secretary of the Interior, the commissioner of the General Land Office, or with any other person in authority at Washington, which he or his predecessor in office may have had concerning a change of the manner of selecting the the swamp and overflowed lands donated to this State by an act of Congress.

On motion of Mr. Horn, the rules were suspended for the purpose of considering said resolution.

Mr. Cobb moved to amend by striking out all after the word "resolved," and inserting,

"That his Excellency, the Governor, be requested to communicate to the Assembly any correspondence with any of the

departments at Washington on the subject of the mode of selecting the swamp and overflowed lands donated to this State by act of Congress, which has been had or received by his Excellency, or any of his predecessors; also copies of any letters of instruction to the Surveyor General, at Dubuque, on said subject, which may be in the possession of the Governor, as well as any other information on said subject as may be in the possession of the Governor ;”

Which amendment was accepted by Mr. Horn,
And the resolution as amended was adopted.

By Mr. Horn:

Res No. 53, A.,

Whereas, An Institution is located near the city of Madison called the University of the State of Wisconsin, and

Whereas, His Excellency, the Governor, in his Message, does not even mention such an Institution, whereby information about the same might have been afforded to this Assembly; therefore,

Resolved, That a select committee of three be appointed by the Speaker, who shall report to the Assembly at an early day
1st, Whether this Legislature has any control, or can exercise any authority over the affairs of said institution; and

2d. If so, to investigate the financial condition of the same, the cost of buildings, for what these buildings are, and what number of students have attended, and from whence;

3d. Whether that institution has ever been of any benefit to the people of this State, outside the city of Madison, and

4th. Whether it would not be for the best interests of the State to donate said institution to the city of Madison, under the condition to pay the debts of the same, if any there be, and release the State from all other liabilities;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred :

By Mr. Palmer :

No. 150, A., a bill to amend sec. 22, chap. 132, of the Revised Statutes, entitled “of issues, mode of trial and judgment in civil actions” ;

To committee on the Judiciary, and

Ordered printed.

And

No. 151, A., a bill in relation to appeals in equity cases ;

To committee on the Judiciary, and
Ordered printed.

By Mr. Goodwin :

No. 152, A., a bill for an act to amend chap. 151, of the Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of Revised Statutes ;

To committee on Judiciary, and
Ordered printed.

By Mr. Whittlesey :

No. 153, A., a bill for an act to amend sections 2 and 3, of the Private and Local Laws of 1859, "entitled an act to incorporate the La Pointe Iron Company," approved March 5th, 1859 ;

To committee on Incorporations.

By Mr. Fairchild:

No. 154, A., a bill for an act to amend an act entitled "an act to incorporate the city of Madison;"

To committee on the Judiciary.

By Mr. Keogh:

No. 155, A., a bill for an act to authorize the aldermen of the third ward of the city of Milwaukee, to issue ward bonds for the purchase of real estate for the use of said ward;

To committee composed of the delegation from city of Milwaukee.

By Mr. Griswold:

No. 156, A., a bill for an act to amend section 16, of chapter 35, of the Revised Statutes, entitled "Of Excise;"

To committee on the Judiciary.

By Mr. Cobb:

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company of the city of Madison, approved March 19, 1859;"

To committee on Incorporations.

By Mr. Lewis :

No. 158, A., a bill to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb, to Amanda Louisa Brand ;"

To committee on Incorporations.

By Mr. Elmore :

No. 159, A., a bill for an act relating to public officers and their duties ;

To committees on Incorporations.

By Mr. Bouck :

No. 160, A., a bill for an act to amend section 7, of chapter 138, of the Revised Statutes, entitled "of costs and fees;"

To committee on the Judiciary, and

Ordered printed.

By Mr. Ordway :

No. 161, A., a bill for an act to amend chapter 167, of General Laws of 1859, entitled "an act to amend chapter 167, of the Revised Statutes, entitled 'of the assessment and collection of taxes'";

To select committee under Res. No. 22, A.

By Mr. Cobb :

No. 162, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings thereon";

To committee on the Judiciary.

And

No. 163, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto";

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them to be correctly engrossed :

No. 80, A., a bill for an act to amend sections 66 and 84, of chap. 19, of the Revised Statutes, entitled "of highways and bridges."

J. Res. No. 14, A.,

Relative to reducing the capital stock of banks.

M. HOWLAND, *Ch'n.*

The joint committee on Printing to whom was referred

Mems. Nos. 41, 42, 49, 50, 52, 54, 55, 56, 59, 62, 63, 70, 75, the same being

Petitions and remonstrances of Editors and Publishers of this State in regard to fees for the publication of sales of lands for taxes and of legal notices; do report that they have had the subject matter of such petitions, &c., under consideration, and from such examination it is the opinion of your committee,

1st. That the printers business, as a trade or profession, should not be a creature of Legislative enactments or regulations, in regard to what reward it shall have for its labors: We believe that competition which settles the prices of labor in

every department of business, would operate equally strong in the business of printing.

2d. That inasmuch as it has become the policy of this State, to regulate such fees, by enactments, we think it unwise and unjust, to diminish the fees now in force.

3d. That the fees for the publication of tax lists may be regarded in the light of penalty. No man need pay them if he comply with the law and pay his taxes at the proper time. That while taxes may be collected from resident owners of property by forced sales and distress in personal property, the non-resident land owner is entirely beyond the reach of such procedures, and he can let his taxes run three years, or longer, and will; in most cases take time, if he can find a sure profitable investment for his money.

4th. That legal advertisements, tax lists, &c. take precedence of all other matter in a newspaper, and a publisher is required to exercise more than ordinary care and attention in setting up and printing such kind of work, also the kind of type used in setting up a tax list is peculiar and costly, and can be used for no other purpose, and even now with all these disabilities, the fees for this kind of advertisements do not exceed on an average the fees charged for ordinary advertising.

For these and other reasons your committee recommend the passage of the resolution accompanying this report.

GEORGE B. GOODWIN, *Ch'n.*

J. Res. No. 15, A.,

Resolved, by the Assembly, the Senate concurring, That it would be unjust and unwise to alter the rates of legal printing, now established by law,

Which, debate being intimated, lies over.

The committee on Town and County Organization have had under consideration

No. 66, A., a bill for an act to divide the town of Wheatland and create the town of Randall, in the county of Kenosha;

Also,

Mem. Nos. 3, 31 and 32, A., for the division of Wheatland, and to create the town of Randall;

Also,

Mem. No. 36, A., remonstrating against the division of the town of Wheatland, and the creating of the town of Randall.

The committee have had the whole matter under consideration and are of the opinion, that as the county board of supervisors have the power to lay out new towns in their several counties, it would not be proper for the Assembly to take any further action in the matter, and authorize me to report the

back with a recommendation that the whole matter be indefinitely postponed.

J. P. DICKSON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Bill No. 137, A., entitled "an act to authorize towns to assess and collect additional school moneys in certain cases, and the town clerk to certify thereto ;"

Have had the same under consideration, and direct me to report the same back with an amendment, and recommend its passage when amended.

EDWARD D. HOLTON, *Ch'n.*

The said amendment was considered and concurred in.

The rules were suspended, and

The bill read a third time and passed.

The committee on Claims, to whom was referred the account, No. 25, A., the account of L. E. Saxton, for conveying Timothy Murray and Martin Renefel, convicts, to state prison, at Waupun ;

Have had the same under consideration, and report it back by

Bill No. 164, A., a bill for an act to appropriate to L. E. Saxton, the sum of \$92, and recommend that said bill do pass.

F. A. WEAGE, *Ch'n.*

Said bill was read first and second times, and

Referred to the Committee of the Whole.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instruct me to report the same back to the Assembly with amendments, and recommend their passage as amended :

No. 85, A., a bill for an act to amend chapter 91, of the laws of 1858, entitled "an act to provide for the protection of stockholders of rail road corporations ;"

No. 104, A., a bill for an act to amend section 9, of chapter 183, entitled "of offences cognizable before justices of the peace."

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill

No. 109, A., "a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town ;" together with

Mem. No. 44, A., "a petition of certain citizens of the town of Half Moon," on the same subject,

Have had the same under consideration, and instruct me to report the same back to the Assembly, and recommend that the bill pass without amendment.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred bill No. 115, A., a bill for an act to legalize certain proceedings in county courts and courts of probate;

Have had the same under consideration, and instruct me to report the same back to the Assembly without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause of said bills be severally stricken out, for the following reasons:

1st. Because neither the said bills nor the general law on the subject of State roads, contain any sufficient provision appraising the damages to be caused to individuals by the laying out of such roads and compensating them therefor.

2d. Because it does not appear that any notice has been given of intended application to the Legislature for the passage of either of said acts—as required by the provisions of the general law above referred to.

While your committee do not deem the provisions of such law to be absolutely binding upon this Legislature, they do deem it to be the true policy of the Legislature to adhere to the rule as laid down in said act.

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victoria, in Bad Ax county;

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse;

And

No. 33, A., a bill for an act to lay out a State road from Eau Plaine to Eau Claire.

AMASA COBB, *Ch'n.*

The joint committee on Enrolled bills, report that on 26th inst. they presented to the Governor for his approval,

Bill No. 51, S., entitled “an act to authorize the holding of a special term of the circuit court in and for the county of Kenosha.”

GEO. BENNETT, *of Sen. Com.,*
C. MILLER, *of Ass. Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed

No. 13, S, a bill for an act to authorize the Secretary of State to audit the Manitowoc Agricultural Society the annual appropriation for the year 1859;

No. 22, S, a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of county and county officers;"

No. 24, S, an act to appropriate to Jas. W. Polleys, late sheriff of LaCrosse county, the sum of money therein named;

No. 26, S, an act to appropriate to James Fisher, Sheriff of Crawford county, the sum of money therein named;

No. 42, S, a bill for an act to detach certain territory from the city of Racine, and to attach the same to the town of Mount Pleasant, in the county of Racine;

No. 40, S, a bill for an act to appropriate to the Wisconsin Telegraph Company, the sum of \$321 13;

And asks the concurrence of the Assembly in the same.

Said bills were severally read first and second times, and

Referred to general file, except

No. 42, S.,

Which was referred to the committee on Town and County Organization.

BILLS REPORTED BY COMMITTEE OF THE WHOLE.

No. 102, A., a bill for an act to amend section 75, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

No. 148, A., a bill for an act to appropriate to Donaldson & Treadway the sum of 172 50 ;

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$423 53 ;

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund monies in Shawanaw county ;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20 ;

No. 135, A., a bill for an act to appropriate to Simon Sekles the sum of \$133 ;

No. 134, A., a bill for an act to appropriate to S. R. Fox the sum of \$138 98 ;

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain cases ;

No. 85, A., a bill to change the name of Lucy Bell, and to establish her guardianship and heirship ;

No. 89, A., a bill for an act releasing the directors of Star Rifle Co., of Oshkosh, Winnebago county, from the obligation of a certain bond ;

No. 147, A., a bill for an act to appropriate to R. T. Lawton the sum of \$162.

No. 100, A., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

No. 108, A., a bill for an act to amend section 2, of chapter 184, of the Revised Statutes, relative to executions and proceedings supplementary thereto ;

No. 70, A., a bill for an act to amend chapter 73 of the Revised Statutes, entitled "of joint stock companies;"

No. 130, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth ;

M. C. No. 1, A., a memorial to Congress for a mail route from Waupaca to Shawanaw ;

And

M. C. No. 2, A., a memorial to Congress for a mail route from Schleisingerville, in the county of Waubesa, to the village of Crouchville, in the county of Fond du Lac ;

Were ordered engrossed for a third reading.

The amendments to

No. 86, A., a bill for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara ;

No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds ;

No. 117, A., a bill for an act concerning the terms of courts in the Fourth Judicial District ;

And

No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of Town Insurance Companies ;"

Were concurred in,

And said bills were ordered engrossed.

No. 44, S., an act to authorize Ephraim Kingsbury, his successors and assigns, to erect and maintain a boom on the Wisconsin river, in Sauk county ;

Was ordered to a third reading.

The rules were suspended, and

Said bill was read a third time and concurred in.

No. 12, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion to the several wards and towns of Brown county, its share of the State School Fund for 1860 ;

No. 46, A., a bill for an act to amend sec. 11, of chapter 57, Revised Statutes, entitled "of draining swamp, meadow and other low lands ;"

And

No. 118, A., bill for an act to amend sec. 42, of chapter 13, of the Revised Statutes, entitled "of counties and county officers ;"

Were indefinitely postponed.

No. 91, A., a bill for an act for the publication of the session laws in two newspapers in each county of this State ;

Was referred to committee on Printing.

No. 69, A., a bill for an act to remove the seat of government from the city of Madison, to the city of Milwaukee ;

Was laid on the table.

The enacting clause to

No. 106, A., a bill for an act to repeal sec. 112, chap. 15, of the Revised Statutes of 1858, entitled "an act for the compensation of town officers ;"

Was stricken out.

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State ;

Was referred to committee on Education.

The following gentlemen were granted leave of absence :

Mr. Blackman, for one day.

Messrs. Smith, McKay, Miller, Winter, Bow, Hayden and Baldwin, for three days.

Mr. Hesk, for four days.

On motion of Mr. Bouck,

The Assembly adjourned.

SATURDAY, JANUARY 28, 10 O'CLOCK, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Brittain officiated as Chaplain.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Bouck :

Mem. No. 100, A., of A. R. Brush and others, residents of Oshkosh, concerning writs of attachment in justices' court;

To committee on the Judiciary.

By Mr. Phillips :

Mem. No. 101, A., of George Baker and 102 others, for a state road from Stevens Point to Eau Claire ;

To committee on Roads, Bridges and Ferries.

By Mr. Cole :

Mem. No. 102, A., of Thomas H. Sheldon and 40 others, legal voters of La Fayette county, for a law providing for the removal of the county seat, and against striking off any portion of the territory of said county ;

To committee on Town and County Organization.

By Mr. Phillips :

Mem. No. 103, A., remonstrance of J. W. Chubbuck against reducing the legal rates of advertising ;

Also,

By Mr. Cobb :

Mem. No. 104, A., remonstrance of G. W. Bliss & Son, in respect to printer's fees ;

Also,

By Mr. Coles :

Mem. No. 105, A., remonstrance of 70 citizens of Appleton against reduction of fees for legal advertising ;

Were severally laid on the table.

By Mr Ordway:

Mem. No. 106, A., of S. H. Marvin, R. V. Bogert and others, to amend the charter of the city of Beaver Dam;
To committee on the Judiciary.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 38, the account of B. W. Suckow.

By Mr. Elmore:

No. 39, the account of W. E. Cramer.

RESOLUTIONS INTRODUCED.

By Mr. Patchin :

Res. No. 54, A.,

Resolved, That the committee on Judiciary be instructed to report a bill for an act to amending chapter 19, of the Revised Statutes, that the same shall provide and define the manner of assessing damages to the owners of lands, sustained on account of laying out or opening any State road ;

Which lies over.

By Mr. Seaton :

Res. No. 55, A.,

Whereas, This body has been in session something over two weeks, and no action has yet been taken on the subject matter of fixing the per diem of its subordinate officers, in consequence whereof several of them have been compelled to pledge their postage stamps, and other articles of stationery, for the little necessities of life, or otherwise go into liquidation, therefore

Resolved, That the committee on Legislative Expenditures be and hereby are instructed and required to report a bill immediately to this House, fixing their rate of per diem, and providing for the payment of the same, at the time and in the manner that the several members of this House are paid ;

Which resolution, being of a privileged character,

The question was taken,

And the resolution adopted.

RESOLUTIONS CONSIDERED.

Res. No. 53, A.,

Relative to the State University ;

Introduced by Mr. Horn yesterday ;

Was, on debate being intimated,
Laid over.

Mr. Ballantine was granted leave of absence for three days ;
and Messrs. Hunkins and Bovay for two days.

BILLS, &c.

Introduced on leave granted, read first and second times, and referred.

By Mr. Elmore :

No. 165, A., a bill for an act to incorporate the village of Pepin :

To committee on Town and County Organization.

By Mr. Bouck :

No. 166, A., a bill for an act to amend chapter 157, of the Revised Statutes, entitled " of actions against the State ;"

To committee on the Judiciary.

By Mr. Goodwin :

No. 167, A., a bill for an act entitled " an act to amend section 6, of chapter 134, of the Revised Statutes, " entitled " of executions and proceedings supplementary thereto ;"

To committee on Judiciary.

By Mr. Hayden :

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society, of the city of Milwaukee ;

To committee on Incorporations.

By Mr. Seaton :

No. 169, A., a bill regulating the rights of miners and persons digging for lead ore ;

To committee on Mining and Lumbering,

By Mr. Wiley :

No. 170, A., a bill for an act to extend the time for the payment and collection of the corporation taxes in the village of Oconto ;

On motion of Mr. Wiley, the rules were suspended, and

No. 170, A., was read a third time and passed, and the title agreed to.

REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred the following bill, have had the same under consideration, and instructed me to report the same back to the Assembly and recommend its passage:

No. 140, A., a bill for an act to change the time of holding terms of the circuit court for the county of Dane.

AMASA COBB, *Ch'n.*

The committee on Railroads, to which was referred

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location, construction, and operation of its line of road in this State;

Also,

No. 82, A., a bill for an act to amend section one, of chapter two hundred-and sixty-six of the private laws of 1855, entitled an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;

Has had said bills under consideration, and instructed me to report them back to the Assembly with the recommendation that they do pass.

WM. E. WHEELER, *Ch'n.*

The committee on Incorporations to whom was referred the following bills :

No. 153, A., a bill for an act to amend sections 2 and 3, of the Private and Local Laws of 1859, entitled "an act to incorporate the La Pointe Iron Company," Approved March 5th, 1859 ;

No. 158, A., a bill to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Cromb, to Amanda Louisa Brand ;"

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Co. of the city of Madison," approved March 19, 1859 ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, without amendment, and recommend their passage.

R. BUNN, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them to be correctly engrossed under Rule 48 :

M. C. No. 1, A., memorial to Congress for a mail route from Waupaca to Shawanaw ;

M. C. No. 2, A., memorial to Congress for a mail route from Schleisingerville, in the county of Washington, to the village of Crounchville, in the county of Fond du Lac ;

No. 35, A., a bill for an act to change the name of Lucy Bell, and to establish her guardianship and heirship ;

No. 70, A., a bill for an act to amend chapter 78, of the Revised Statutes, entitled "of joint stock companies;"

No. 89, A., a bill for an act releasing the directors of Star Rifle Co. of Oshkosh, Winnebago county, from the obligation of a certain bond;

No. 100, A., a bill for an act to amend chapter 22 of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 102, A., a bill for an act to amend section 75, of chapter 133, of the Revised Statutes entitled "of costs and fees;"

No. 103, A., a bill for an act to amend section 2, of chapter 134, of the Revised Statutes, relative to executions and proceedings supplementary thereto;

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain cases;

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Shawanaw county;

No. 130, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth;

No. 134, A., a bill for an act to appropriate to S. R. Fox the sum of \$133 93;

No. 135, A., a bill for an act to appropriate to Simon Sekles the sum of \$133;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20;

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner, the sum of \$427 53;

No. 147, A., a bill for an act to appropriate to R. T. Lawton the sum of \$162;

No. 148, A., a bill for an act to appropriate to Donaldson and Tredway, the sum of \$172 60.

M. HOWLAND, *Ch'n.*

The committee on Enrolled Bills, respectfully report,

That they have examined the following bills, and find the same correctly enrolled:

No. 92, A., a bill for an act to appropriate to E. Martin the sum of \$30;

No. 93, A., a bill for an act to appropriate to Hiram A. Stone, the sum of \$41 50;

No. 95, A., a bill for an act to appropriate to Andrew Bishop the sum of \$312;

No. 96, A., a bill for an act to appropriate to Gabriel Bouck the sum of \$80 87;

No. 97, A., a bill for an act to appropriate to James W. Harvey the sum of \$7;

No. 98, A., a bill for an act to appropriate to Samuel Klau-ber the sum of \$392 50;

No. 112, A., a bill for an act to appropriate to Wm. H. Foster the sum of \$80;

No. 113, A., a bill for an act to appropriate to Moseley & Brother the sum of \$604 18;

No. 114, A., a bill for an act to appropriate to T. N. Bovee the sum of \$27 47;

No. 5, A., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;

No. 16, A., a bill for an act to change the time of holding courts in the county of Richland, in the Fifth Judicial Circuit ;

And,

No. 43, A., a bill for an act to repeal chapter 11, of the General Laws of 1858, entitled "an act to authorize the judge of the sixth circuit, to appoint a place for holding the circuit court in the county of Buffalo."

EDWARD KEOGH.

The committee on Engrossed Bills, respectfully report, that they have examined and compared the following bills, and find them to be correctly engrossed :

No. 36, A., a bill for an act to provide for the disposal and expenditure of the drainage fund, in the county of Waushara ;

No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds ;

No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of town insurance companies ;"

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit ;

M. HOWLAND, *Ch'n.*

Whereupon, on motion of Mr. Cobb,

No. 117, A., was referred to the committee on the Judiciary.

Mr. Elmore moved to adjourn until Monday, at 3 o'clock, P. M.

Mr. Bouck moved to adjourn until Tuesday ;

Upon which motion,

The ayes and noes were called and ordered,

And the motion to adjourn until Tuesday, was lost by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Ballantine, Bettis, Beath, Elmore, Fair-

child, Fischer, Goodwin, Green, Grover, Humann, Kiefer, Langland, Robertson, Weage, Westby, Whittlesey and Whiting—18.

Those voting in the negative, were

Messrs. Altenhofen, Bartlett, Bouck, Brooks, Bugh, Bunn, Clise, Cobb, Cole, Coles, DeWolf, Griffin, Griswold, Hammarquist, Horton, Howland, Jackson, Johnson, Judd, Kingsbury, Lewis, Mackay, McMichael, Meigs, Moore, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rogers, Seaton, Spottswood, Sumner, Sutton, Upson, VanderCook, Westcott, Wiley, Wood, Young and Mr. Speaker—43.

The question occurring on Mr. Elmore's motion,

The ayes and noes were called for and ordered ;

And the Assembly refused to adjourn until 3 o'clock, P. M., on Monday,

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Bettis, DeWolf, Fairchild, Fischer, Griswold, Johnson, Sutton, Weage, Westby, Whittlesey and Wood—12.

Those who voted in the negative were

Messrs. Altenhofen, Bartlett, Beath, Bouck, Brooks, Bugh, Bunn, Clise, Cobb, Cole, Coles, Goodwin, Green, Griffin, Grover, Hammarquist, Horton, Howland, Humann, Jackson, Judd, Kiefer, Kingsbury, Lewis, Mackay, McMichael, Meigs, Moore, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rogers, Seaton, Spottswood, Sumner, Upson, VanderCook, Westcott, Wiley, Winter, Young and Mr. Speaker—45.

Mr. Bouck moved a call of the House,

Which motion prevailed.

The roll being called, the following named gentlemen were found to be absent without leave—

Messrs. Alden, Bachuber, Barden, Barnum, Boyd, Child, Elmore, Holton, Langland, Nash, Rankin, Robertson, Ruan, Schmidtner, Simpson, Stannard, Townsend, Weage, Westby, and Whiting.

Mr. Judd moved to dispense with further proceedings under the call;

Which was lost.

The Sergeant-at-Arms proceeded to summon the absentees.

Mr. Bouck moved to dispense with further proceedings under the call.

Which the Speaker decided to be out of order.

Whereupon

Mr. Bouck moved to reconsider the vote by which Mr. Judd's motion "to dispense with further proceedings," was lost;

Which was agreed to.

The question recurring on Mr. Judd's motion;

It was lost.

Mr. Judd moved to adjourn;

Which was not agreed to.

Mr. Meigs moved to dispense with further proceedings under the call.

The ayes and noes were called and ordered,

And it was lost by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bartlett, Beath, Bouck, Brooks, Bugh, Bunn, Clise, Cole, Coles, DeWolf, Fairchild, Farwell, Fischer, Griffin, Griswold, Grover, Hammarquist, Horton, Howland, Humann, Johnson, Judd, Kiefer, Kingsbury, Lewis, Moore, Munn, Ordway, Palmer, Patchin, Phillips, Rogers, Spottswood, Sutton, Upson, VanderCook, Wheeler, Whittlesey, Wiley, Wood, Young and Mr. Speaker—44.

Those who voted in the negative were

Messrs. Bettis, Cobb, Goodwin, Green, Jackson, Mackay, McMichael, Mulholland, Seaton and Wescott—10.

REPORT OF THE SERGEANT-AT-ARMS.

The Sergeant-at-Arms reports that upon due search and enquiry he has been unable to find any of the absentees, and that he is informed that they have all left the city, except Mr. Westby, who is found.

A. ARMSTRONG,

Assistant Sergeant-at-Arms.

On motion of Mr. Cobb,

Further proceedings under the call were dispensed with.

MESSAGE FROM THE SENATE,

By John H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed

No. 25, S., an act to repeal chap. 114, General Laws of 1859, conferring civil jurisdiction on the county court of Crawford county;

No. 87, S., a bill to amend section 10, of chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;

No. 77, S., a bill for an act to provide for making new lists of jurors for the county of Sheboygan ;

And asks the concurrence of the Assembly in the same.

I am further directed to inform you that the Senate recedes from its amendment to

J. Res. No. 7, A.,

Instructing the committee on State Prison;

Also

That the Senate has concurred in

J. Res. No. 41, A.,

Relating to change in the system of county government;

And has appointed Senators Simpson and Hutchinson a committee on the part of the Senate;

Also

That the Senate has concurred in passage of

No. 5, A., an act to amend an act entitled "an act to incorporate the Merchant's Mutual Insurance Co. of Milwaukee, and the several acts amendatory thereof;"

And has refused to concur in Assembly amendment to

No. 7, S., a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor;

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE.

On the general file:

Mr. Judd in the chair.

After some time spent therein, the committee rose, and by their chairman reported,

That they had had under consideration the general file of bills, had gone through with the same, reported back the following bills with the recommendation accompanying the same, and asked leave to sit again;

Leave was granted.

No. 85, A., a bill for an act to amend chapter 91, of the laws of 1858, entitled "an act to provide for the protection of stockholders of railroad corporations;"

And

No. 104, A, a bill for an act to amend section 9, of chapter 188, entitled "of offenses cognizable before justices of the peace;"

With amendments.

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled "an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the loca-

tion, construction and operation of its line of road in this State ;”

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1855, entitled “an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley, and Minnesota Railroad Company;”

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town;

No. 115, A., a bill for an act to legalize certain proceedings of county courts and courts of probate;

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane;

No. 153, A., a bill for an act to amend sections 2 and 3, of the Private and Local Laws of 1859, entitled “an act to incorporate the La Pointe Iron Company,” approved March 5th, 1859:

No. 158, A., a bill to amend chapter 222, of the Session Laws of 1859, entitled “an act to change the name of Amanda Louisa Cromb, to Amanda Louisa Brand;

No. 164, A, a bill for an act to appropriate to L. E. Saxton the sum of \$92;

No. 18, S., a bill for an act to authorize the Secretary of State to audit the Manitowoc Agricultural Society, the annual appropriation for the year 1859;

No. 22, S., a bill for an act to amend chapter 13 of the Revised Statutes, entitled “of counties and county officers;

No. 24, S., an act to appropriate to James W. Pollys, late sheriff of La Crosse county, the sum of money therein named;

No. 26, S., an act to appropriate to James Fisher, sheriff of Crawford county, the sum of money therein named;

And,

No. 40, S., a bill for an act to appropriate to the Wisconsin Telegraph Company, the sum of \$321 13;

Without amendment.

No. 157, A., a bill for an act to amend an act entitled “an act to incorporate the Mutual Life Insurance Company of the city of Madison,” approved March 19, 1859.

With recommendation that it be printed.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

No. 157, A., was ordered printed.

The amendments to

Nos. 85 and 104, A., were concurred in,
Nos. 85, 104, 65, 82, 109, 114, 140, 153 and 158, A.,
Were ordered engrossed for a third reading,
No. 164, A., was recommitted to the committee on claims.
Nos. 13, 22, 24, 26 and 40 S.,
Were ordered to a third reading.
On motion of Mr. Rogers,
The rules were suspended for the consideration of messages
from the Senate, and other order of business.

MESSAGE FROM THE SENATE.

No. 25, S., a bill to repeal chapter 114, General Laws, 1859,
conferring civil jurisdiction on county court of Crawford
county ;

And

No. 37, S., a bill to amend section 10, of chapter 52, of the
General Laws of 1859, entitled "an act relating to the Dane
County Bank ;"

Were read first and second times and sent to the general file.

No. 77, S., a bill for an act to provide for making new list
of jurors for the county of Sheboygan ;

Was read first and second times.

On motion of Mr. Rogers,

The rules were suspended,

The bill read a third time, and concurred in.

No. 7, S., a bill for an act to authorize the members and of-
ficers of the Legislature to take newspapers at the expense of
the State, and to provide for the payment therefor ;

To the Assembly amendment to which the Senate refused to
agree,

Was taken up ;

Mr. Cobb moved that the Assembly do recede from its
amendment ;

But, debate being intimated,

The motion lies over.

The Senate having concurred in

J. Res. No. 41, A.,

Relative to a change in the system of county government ;

The Speaker appointed Messrs. Bugh, Barnum and Hunkins
as the committee on the part of the Assembly.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and
passed :

No. 76, A., a bill for an act providing for the bringing of
suits upon Sheriff's bonds.

No. 101, A, a bill for an act to amend chap. 46, General Laws of 1859, entitled "an act for the formation of town insurance companies."

No. 36, A., a bill for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara.

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Shawano county.

No. 125, A., a bill for an act to make certain records in Brown county, evidence in certain cases.

No. 103, A, a bill for an act to amend section 2, of chapter 184, of the Revised Statutes, relative to execution and proceedings supplementary thereto.

No. 102, A., a bill for an act to amend section 75, of chapter 183, of the Revised Statutes, entitled "of costs and fees;"

No. 100, A, a bill for an act to amend chapter 22, of the General Laws, of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled "of joint stock companies;"

No. 35, A., a bill for an act to change the name of Lucy Bell, and to establish her guardianship and heirship;

No. 80, A., a bill for an act to amend sections 66 and 84, of chapter 19, of the Revised Statutes, entitled "of highways and bridges;"

M. C. No. 1, A., a memorial to Congress for a mail route from Waupaca to Shawanaw;

And

M. C. No. 2, A., a memorial to Congress for a mail route from Schlesingerville, in the county of Washington, to the village of Crouhville, in the county of Fond du Lac;

The title of

M. C. No. 2, A., was amended by striking out "Crouhville, and inserting "New Castle" in place thereof.

BILLS ON THEIR THIRD READING.

No. 22, S., a bill for an act to amend chap. 13, of the Revised Statutes, entitled "of counties and county officers;"

Was read a third time, and

Concurred in.

By Mr. Ordway :

I give notice that on Monday next, or as soon thereafter as the same can be reached, I shall move to amend Rule No. 46 of the Assembly, so that the same will read as follows :

"Two hundred copies of any Bill, Resolution or Memorial,

shall be printed after the second reading when ordered by the Assembly; and all Bills, Resolutions and Memorials that shall be printed, shall remain at least one day on the file after being printed, before being considered."

On motion of Mr. Wheeler,

The Assembly adjourned.

MONDAY, JANUARY 30, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Humann:

Mem. No. 107, A., of Garrett Vliet, to vacate block 20 in Vliet's addition to the city of Milwaukee;

To committee composed of Milwaukee delegation.

By Mr. Judd:

Mem. No. 108, A., Remonstrance of James V. Fitch, against the reduction of fees for printing legal notices;

To accompany J. Res. No. 15, A., on the same subject.

By Mr. Cole:

Mem. No. 109, A., of S. A. Davis, and 45 other legal voters of LaFayette county, for a law providing for the removal of the county seat, and against any dismemberment of said county;

And,

Mem. No. 110, A., of J. P. McFarland and 93 others, legal voters of La Fayette county, for a law providing for the remo-

val of the county seat, and against any dismemberment of said county ;

And,

Mem. No. 111, A., of J. S. Trotsdale and 56 others, legal voters of La Fayette county, for a law providing for the removal of the county seat, and against any dismemberment of said county ;

Which were severally referred to committee on Town and County organization.

By Mr. Wiley :

Mem. No. 112, A., of J. R. Brooks and others, asking for an act to legalize the official acts of town officers of the town of Chambers' Island, in Door county ;

To committee on the Judiciary.

By Mr. Goodwin :

Mem. No. 113, A., of Charles Rohlmann & Brother, against reducing the fees of legal printing ;

To accompany J. Res. No. 16, A., on the same subject.

RESOLUTIONS INTRODUCED.

By Mr. Judd :

Res. No. 56, A.,

Resolved, That the Attorney General report to this Assembly whether it is within the power of a county board of supervisors to so alter the boundaries of any town within such county, as to attach a portion of one town to another which constitutes another and different Assembly District ; and if so, in which Assembly District are the electors so attached to cast their votes, and how are such votes canvassed and returned ;

Which lies over.

RESOLUTIONS CONSIDERED.

J. Res. No. 15, A.,

Relating to rates for legal printing ;

Introduced by joint committee on Printing on the 27th inst ;

Was postponed until to-morrow.

Res. No. 53, A.,

Relating to the State University ;

Introduced by Mr. Horn on the 27th inst.,

Was postponed until Wednesday next.

Res. No. 54, A.,

Instructing committee on the Judiciary to report a bill ;

Introduced by Mr. Patchin, on the 20th inst.,
Was adopted.

Mr. Ordway, called up his notice to amend
Assembly rule, No. 46;

But on motion of Mr. Goodwin,

The consideration of the same was postponed until to-morrow.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Humann :

No. 171, A., a bill for an act to vacate block 20, of Vliet's addition to the city of Milwaukee ;

To the Milwaukee delegation.

By Mr. Wiley :

No. 172, A., a bill for an act to legalize the official acts of the officers of the town of Chambers' Island, in Door county ;

To committee on the Judiciary.

By Mr. Green :

No. 173, A., a bill for an act to amend chapter 164, of the General Laws of 1859, entitled "an act to provide for the drainage and reclamation of the swamp and overflowed lands in the counties of Calumet, Brown, Oconto, Kewaunee and Door;"

The rules were suspended, and said bill was read the third time and passed.

By Mr. Moore :

No. 174, A., a bill to amend chapter 113, of the General Laws of 1859, and chapter 153, of the Revised Statutes, entitled "of the liens of mechanics and others;"

To committee on the Judiciary.

By Mr. DeWolf :

No. 175, A., a bill for an act to amend section 21, of chapter 122, of the Revised Statutes, entitled "of the forms of civil actions, and parties thereto ;"

To committee on Judiciary.

By Mr. Cobb :

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point ;

To committee on Education, &c.

By Mr. Ordway :

No. 177, A., a bill for an act to amend section 3, of chapter 116, of the Revised Statutes, entitled " of the circuit courts ;"
To committee on the Judiciary.

By Mr. Hammarquist :

No. 178, A., a bill for an act to amend chapter 109, of the Revised Statutes, entitled " of marriage ;"

To committee on Charitable and Religious Societies.

Mr. Judd moved to reconsider that reference of the bill,
Which was agreed to.

Mr. Judd then moved its reference to the committee on Ways and Means ;

Mr. Bartlett moved to amend, by referring the same to the committee on Swamp and Overflowed Lands ;

Which was lost ;

Mr. Judd's motion of reference was disagreed to ;

Mr. Hammarquist asked a reference of the bill to the Judiciary committee ;

Mr. Wheeler moved to strike out Judiciary committee, and insert, " the committee on Internal Improvements ;"

Mr. Bouck moved to refer the bill to the Columbia county delegation ;

But the amendments were severally withdrawn, and the bill was referred,

To the committee on the Judiciary.

REPORT OF COMMITTEES.

The committee on the Judiciary, to whom was referred

No. 154, A., " a bill for an act to amend an act to incorporate the city of Madison ;"

Have had the same under consideration, and instruct me to report the same back with an amendment and recommend its passage as amended.

AMASA COBB, *Ch'n.*

To the Honorable, the Assembly, of the State of Wisconsin :

The committee on the Judiciary to whom was referred petition

No. 106, A., being the petition of L. H. Marvin, R. V. Bogert, and others, for an act amending the charter of the city of Beaver Dam ;

Having had the same under consideration, respectfully report the same back by bill, in pursuance of the prayer of such petition, and respectfully recommend its passage ; all which, &c.

AMASA COBB, *Ch'n.*

The said bill being

No. 179, A., a bill for an act to amend chapter 182, of the Private and Local Laws of 1859, entitled "an act to amend an act entitled 'an act to incorporate the city of Beaver Dam;'"

Was read first and second times, and

Referred to the Committee of the Whole.

The committee on Enrolled Bills report that they have examined and compared

No. 53, A., a bill for an act entitled an act to amend an act to incorporate the Merchant's Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof;

And find the same correctly enrolled.

W. T. BROOKS, *for the Com.*

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed, under Rule 48 :

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1859, entitled "an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;"

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane ;

No. 153, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled "an act to incorporate the La Pointe Iron Company," approved March 5th, 1859.

M. HOWLAND, *Ch'n.*

On motion of Mr. Judd,
The Assembly adjourned.

TUESDAY, JANUARY 31, 10 o'clock, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. McWright officiated as Chaplain.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

By Mr. Langland:

A communication from C. Fr. Solberg.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Phillips:

Mem. No. 114, A., of Farmington and Blizard, and a large number of others, for the repeal of charter authorizing the construction of a dam at Kilbourn City, and for an appropriation to remove the same;

To committee on Internal Improvement.

By Mr. Whittlesey:

Mem. No. 115, A., remonstrance of John S. Beal, against reducing the rates of legal advertising;

To accompany J. Res. No. 15, A.

By Mr. Goodwin:

Mem. No. 116, A., for having a certain highway in the counties of Brown, Outagamie and Winnebago, declared to be a State road, and to have the same worked as a State road;

To committee on Roads, Bridges and Ferries.

By Mr. Holton:

Mem. No. 117, A., of James S. Stickney and others, asking relief for the town of Wauwatosa from the vote of the Milwaukee county paupers located in said town;

To committee on Charitable and Religious Societies.

By Mr. Munn :

Mem. No. 118, A., of G. A. Richmond and 110 others, citizens of the city of Portage, for a change in the present system of county government ;

To select committee under J. Res. No. 41, A.

By Mr. Ordway :

Mem. 119, A., of N. Woodward, A. C. Grant and others, to abolish the county board and establish the commissioner system ;

To select committee under J. Res. No. 41, A.

And

Mem. No. 120, A., of James A. Williams, Henry Davis and others, for biennial sessions of the Legislature ;

To committee on the Judiciary.

By ~~Mr.~~ Hammarquist :

Mem. No. 121, A., remonstrance of J. A. Shephard against reducing fees for legal printing ;

To accompany J. Res. No. 15, A.

By Mr. Cole :

Mem. No. 122, A., of John Finley and 50 other legal voters of LaFayette county, for a law providing for the removal of the county seat and against any dismemberment of said county ;

To committee on Town and County Organization.

By Mr. Meigs :

Mem. No. 123, A., of John Herron, against reducing the fees of public printing ;

To accompany J. Res. No. 15, A.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Holton :

No. 40, A., the acct. of Berliner & Bruno.

By Mr. Goodwin :

No. 41, A., the acct. of Harrison Reed.

Mr. Fairchild re-introduced :

No. 14, A., the acct. of Church & Hawley, and requested that the account and accompanying communication be spread upon the journal ;

Which was not agreed to.

RESOLUTIONS INTRODUCED.

By Mr. Weage:

Res. No. 57, A.,

Whereas, by resolution of this House allowing each subordinate clerk of this House and employee of the Sergeant-at-Arms, to take ten daily newspapers, or their equivalent in weeklies, and as they are expected to make good use of the papers so taken, and send the same to the tax payers of this State; therefore,

Resolved, That the Sergeant-at-Arms be instructed to procure and distribute to each subordinate clerk and employee, three dollars worth of stamps, viz: two dollars in one cent stamps, and one dollar in three cent stamps;

Which lies over.

RESOLUTIONS CONSIDERED.

J. Res. No. 15, A.,

Relating to rates for legal printing.

Introduced by joint committee on Printing on the 27th inst.

Pending which, the morning hour having expired,

On motion of Mr. Bouck,

The rules were suspended for the purpose of considering said resolution;

Mr. Bouck moved to amend by adding,

"Except in these cases wherein a discrimination is made in favor of the State paper;"

Which was not agreed to.

Mr. Elmore moved to strike out the words "unjust and unwise," and insert "inexpedient;"

Which was not agreed to.

The question occurring on adopting said resolution.

The ayes and noes were called for and ordered, and

The resolution was lost by the following vote:

Those who voted in the affirmative were

Messrs. Coles, Goodwin, Keogh, Langland, Meigs, Seaton, Wiley and Mr. Speaker—8.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Green, Griffin, Griswold, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, McMich-

ael, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Rogers, Ruan, Schmidtner, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weago, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—69.

On motion of Mr. Cobb,

The memorials relating to the subject were recommitted to the committee on Printing.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

No. 13, A., a bill for an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855;

No. 31, A., a bill for an act to amend sub-division 4, of section 38, of chapter 6, of the Revised Statutes, entitled "of the public printing, and of the publication and distribution of Statutes and other public documents ;"

No. 50, A., a bill to incorporate the Hanover Street Congregational Society;

No. 54, A., a bill for an act to amend section 81, of chapter 119, of the Revised Statutes, entitled "general provisions concerning courts of record, of the powers and duties of judges and of attorneys and officers of court ;

J. Res. No. 14, A.,

Relative to reducing the capital stock of banks.

Also, that the Senate has passed

No. 35, S., a bill for an act to amend chapter 191 of the Session Laws of 1859, entitled "an act to divide the county of Polk and erect the county of Dallas;"

No. 45, S., a bill for an act to amend section 89, of chapter 18, of the Revised Statutes, entitled "of counties and county officers;"

I am further directed to present for signature,

No. 8, S., an act to amend chapter 133, of the Revised Statutes, entitled, "of costs and fees;"

No. 15, S., an act relative to the printing of public documents;

No. 21, S., an act to prescribe the time for holding courts in the Third Judicial Circuit;

No. 69, S., an act to extend the time for the payment of taxes in the city of Beloit;

Also, that the Senate has concurred in the passage of No. 17, A., a bill for an act to enable foreign executors to sue in the State of Wisconsin;

With an amendment, and ask the concurrence of the Assembly in the amendment.

Said bills were signed by the Speaker.

Nos. 35 and 45 S.,

Were read the first and second times.

The Senate amendment to

No. 17, A., was concurred in.

Mr. Cobb, on leave, withdrew his motion that the Assembly recede from its amendment to,

No. 7, S., a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor;

And moved that the further consideration of said bill be postponed until to-morrow;

Which was agreed to.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 13, S., a bill for an act to authorize the Secretary of State to audit the Manitowoc Agricultural Society, the annual appropriation for the year 1859.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—77.

None voting in the negative.

No. 24, S., an act to appropriate to James W. Polleys, late sheriff of La Crosse county, the sum of money therein named;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—77.

None voting in the negative.

No. 26, S., an act to appropriate to James Fisher, sheriff of Crawford county, the sum of money therein named ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—77.

None voting in the negative.

No. 40, S., a bill for an act to appropriate to the Wisconsin Telegraph Company, the sum of \$321,13;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were,

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patch-

in, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Wiley, Wood, Young, and Mr. Speaker—77.

None voting in the negative.

BILLS READY FOR A THIRD READING.

No. 13, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth;

Was referred to the committee on the Judiciary.

The following bills were severally read a third time and passed:

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1855, entitled "an act to amend an act entitled 'an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;'"

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane;

No. 158, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled "an act to incorporate the La Pointe Iron Company," approved March 5th, 1859,

No. 89, A., a bill for an act releasing the directors of Star Rifle Company, of Oshkosh, Winnebago county, from the obligation of a certain bond;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 134, A., a bill for an act to appropriate to S. R. Fox the sum of 133 93;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$427 58;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackey, McMichael, Meigs,

Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 147, A., a bill for an act to appropriate to R. T. Lawton the sum of \$162 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 148, A., a bill for an act to appropriate to Donaldson & Treadway the sum of \$172 50 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—79.

None voting in the negative.

No. 135, A., a bill for an act to appropriate to Simon Sekles the sum of \$133;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Barden, Parnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Grover, Hammarquist, Horton, Humann, Jackson, Johnson, Judd, Keogh, Langland, Mackay, McMichael, Meigs, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Patchin, Rogers, Ruan, Schmitdner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Young and Mr. Speaker—65.

Those who voted in the negative, were

Messrs. Ballantine, Elmore, Griswold, Holton, Howland, Kiefer, Lewis, Mulholland, and Wood—9.

REPORTS OF COMMITTEES.

The joint committee on Enrolled Bills, report that on the 28th inst. they presented to the Governor for his approval, the following bills:

No. 98, A., for an act to appropriate to Samuel Klauber the sum of \$392 56 ;

No. 97, A., for an act to appropriate to James W. Harvey the sum of \$7 ;

No. 95, A., for an act to appropriate to Andrew Bishop the sum of \$312 ;

No. 118, A., for an act to appropriate to Mosely & Brother the sum of \$604 18 ;

No. 16, A., for an act to change the time of holding courts in the county of Richland, in the Fifth Judicial Circuit;

No. 114, A., for an act to appropriate to T. N. Bovee the sum of \$27 45 ;

No. 112, A., for an act to appropriate to William H. Foster the sum of \$80 ;

No. 96, A., a bill for an act to appropriate to Gabriel Bouck the sum of \$80 37 ;

No. 5, A., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

No. 43, A., a bill for an act to repeal chapter 11, of the Gen-

eral Laws of 1858, entitled "an act to authorize the judge of the Sixth Circuit to appoint a place for holding the circuit court in the county of Buffalo;"

No. 92, A., a bill for an act to appropriate to E. Martin the sum of \$30;

No. 93, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$41 50;

GEO. BENNETT, *of Senate Com.*

ALBERT WOOD, *of Assem. Com.*

The joint committee on Enrolled Bills report that on the 31st January inst., they presented to the Governor, for his approval and signature, the following bills:

No. 53, A., a bill for an act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee, and the several acts amendatory thereof."

No. 8, S., a bill to amend chapter 133, of the Revised Statutes, entitled "of costs and fees."

No. 15, S., a bill for an act relative to the printing of public documents.

No. 21, S., a bill for an act to prescribe the time for holding courts in the Third Judicial Circuit.

No. 69, S., a bill for an act to extend the time for the payment of taxes in the city of Beloit.

GEORGE BENNETT, *of Senate Com.*

ALBERT WOOD, *of Assembly Com.*

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled:

No. 94, A., an act to appropriate to Benjamin Williams the sum of \$50.

ALBERT WOOD, *of the Com.*

On motion of Mr. Bovay,
The Assembly adjourned.

WEDNESDAY, FEBRUARY 1, 10 o'CLOCK, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Walters officiated as Chaplain.

On motion of Mr. Munn,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Neville:

Mem. No. 124, A., of certain citizens of Brown and Calumet counties, for a State road from Wrightstown, in Brown county, to Chilton, in Calumet county;

To committee on Roads, Bridges and Ferries.

By Mr. Wiley:

Mem. No. 126, A., from George B. Edmonds and others for the improvement of the navigation of the Wolf river;

To committee on Internal Improvements.

By Mr. DeWolf:

Mem. No. 126, A., of E. B. Coon and 161 others, citizens of Walworth county, asking an extension of ten years on expired school land certificates;

To committee on Education, School and University Lands.

By Mr. Cole:

Mem. No. 127, A., of W. J. Lewis and 100 others, legal voters of La Fayette county, for a law providing for the removal of the county seat, and against any dismemberment of said county;

To committee on Town and County Organization.

By Mr. Phillips:

Mem. No. 127, A., remonstrance of J. Brundage against reducing the fees for legal advertising;

To committee on Printing.

RESOLUTIONS INTRODUCED.

By Mr. Munn:

Res. No. 58, A.,

Resolved, That the Honorable the Secretary of State be, and hereby is, respectfully requested to inform this Assembly whether the Trustees of the Fox and Wisconsin Improvement Company, in pursuance of an act of the Legislature, entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on account of the same, &c.," approved October 8d, 1856, have, as provided by section 5 of said act, filed in his office a certified record, or copy of record, describing each and every tract of land selected by the State or Company under the different acts of Congress granting lands to this State "to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal;" and if so, how much of the same have been approved by the Department of the Secretary of the Interior at Washington; also whether said Trustees have filed in his office, as provided by said act, a copy of the record of the amount of the sales of said lands made by them, "together with a full statement of the receipts and applications of all moneys which may have come into their possession as such Trustees;" and if so what quantity of lands have been sold, what amount of moneys have been received, and from what sources, and for what purposes the same have been applied; "

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 58, A.,

Relative to the State University,

Introduced by Mr. Horn on the 27th instant.

Mr. Goodwin offered the following as a substitute:

Resolved, by the Assembly, the Senate concurring, That the standing committee on Education, School and University Lands, of the House, and the standing committee on Education, School and University Lands, of the Senate, be and act as a joint committee for the purpose of considering the matter of the State University, and that such joint committee be instructed to inquire into the condition of the State University, its prospects of usefulness for the citizens of the State, the state of its finances, its resources, amount and character of its indebted-

ness, and report such other information as may be of interest to the members of this Legislature; also what further legislation, (if any) in their opinion, may be necessary in relation to said institution.

On motion of Mr. Goodwin,

The resolution and substitute were referred to the committee on Education, School and University Lands.

Res. No. 56, A.,

Calling upon the Attorney General for information;

Introduced by Mr. Judd on the 30th ult.;

Was adopted.

Res. No. 57, A.,

Providing subordinate officers with postage stamps;

Introduced by Mr. Weage yesterday;

Was adopted.

Mr. Ordway's motion to amend Assembly Rule No. 46;

Was taken up,

And consideration thereof being had;

It was lost.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. McMichael:

No. 180, A., a bill for an act to amend section 1, of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sale of forfeited lands;

To committee on the Judiciary.

By Mr. Holton:

No. 181, A., a bill for an act entitled an act of the registration of births, marriages and deaths;

To committee on Charitable and Religious Societies.

By Mr. Neville:

No. 182, A., a bill for an act relating to proceedings in probate courts;

To committee on the Judiciary.

And

No. 188, A., a bill for an act relating to the estate of T. J. Vander Brock, deceased;

To committee on the Judiciary.

By Mr. Judd:

No. 184, A., a bill for an act to authorize the Commissioners of School Lands to vacate a certain sale to Ephraim Cole;

To select committee, consisting of Messrs. Judd, Neville, and Whiting.

By Mr. Holton:

No. 185, A., a bill for an act to vacate block No. 7, in Cross and Luddington's addition to Milwaukee;

To Milwaukee delegation.

By Mr. Judd:

No. 186, A., an act to authorize the levying and collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Randolph, being in the town of Fox Lake;

On motion of Mr. Judd,

The rules were suspended, and

No. 186, A., was read a third time and passed,

And the title agreed to.

By Mr. Ordway:

No. 187, A., a bill for an act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856;

To committee on the Judiciary;

By Mr. Clise:

No. 188, A., a bill to repeal chapter 324, of the Private and Local Laws of 1856, entitled "an act to incorporate the village of Lancaster;

To committee on Incorporations.

By Mr. Griffin:

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge to retain license moneys in their town, city or village treasury;

To committee composed of the Dodge county delegation.

By Mr. Wheeler:

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock;

To committee on Banks and Banking.

By Mr. Fairchild:

No. 191, A., a bill for an act to extend the time for the collection of taxes in the city of Madison;

To committee on the Judiciary.

By Mr. McMichael:

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county;"

To the committee on the Judiciary.

By Mr. Bunn :

No. 193, A., a bill for an act to provide for special terms of the circuit court in the county of Trempealeau ;

To committee on the Judiciary.

And

No. 194, A., a bill for an act to incorporate the Fountain City Social Gymnastic Association ;

To committee on Incorporations.

And

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo ;"

To committee on Incorporations.

By Mr. Clise :

No. 196, A., a bill for an act to amend section 2, chap. 163, of the Revised Statutes, entitled "of crimes and the punishment thereof, and of proceedings in criminal cases ;"

To committee on the Judiciary.

Mr. Judd moved to reconsider the vote by which Mr. Ordway's motion to amend

Rule No. 46, was lost.

Mr. Palmer rose to a point of order, stating that, as Mr. Judd had voted with the losing side, he could not properly make such motion.

The chair deciding Mr. Judd to be out of order ;

Mr. Palmer renewed the motion to re-consider ;

Which was agreed to.

Mr. Holton moved to amend so as to read as follows,

"Two hundred copies of every bill of a general nature, or amending a general law, shall be printed, after passing the committee of the Whole, unless otherwise ordered";

Which was lost.

And the question recurring on Mr. Ordway's motion to amend ;

It was lost.

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred accounts

No. 14, A., the acct. of Church & Hawley for furniture for the Assembly Chamber ;

No. 89, A., the acct. of W. E. Cramer, for newspapers furnished the Legislature of 1853 ;

Have had the same under consideration, and report them back by bills

No. 197, A., a bill for an act to appropriate to Church & Hawley, the sum of \$2,985 ;

No. 193, A., a bill for an act to appropriate to W. E. Cramer, the sum of \$93 ;

And would recommend that said bills do pass.

Also

No. 164, A., a bill to appropriate to L. E. Saxton, the sum of money therein named ;

Have had the same under consideration, and would report the same back with an amendment, and recommend that it do pass as amended.

HEBER SMITH, *Ch'n.*

Nos. 197, and 198, A.,

Were read first and second times, and

Placed on the general file.

The amendment to

No. 164, A.,

Was concurred in ;

And said bill was ordered to be engrossed as amended.

The committee on Incorporations have had under consideration

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company ;

And have instructed me to report the same back without amendment, and recommend its passage.

R. BUNN, *Ch'n.*

The committee on Roads, Bridges and Ferries, have had under consideration

No. 52, A., a bill for an act to authorize Wm. Knowles, his associates or assigns to build a Dam across the Peckatonica river ;

Mem. No. 22, A., petition of N. H. Verley and others for a charter to authorize Wm. Knowles and his associates to build a dam across the Peckatonica river ;

And

Mem. No. 69, A., remonstrance of L. & P. D. Harlburt against granting a charter authorizing Wm. Knowles and others to build a dam across the Peckatonica river ;

And respectfully report the same back to the house with the recommendation that said bill No. 52 A., do pass.

O. G. HAMMARQUIST, *Ch'n.*

The committee on Judiciary, to whom was referred bill No. 117, A., "a bill for an act concerning the terms of court in the Fourth Judicial Circuit ;"

Have had the same under consideration, and have instructed me to report the same back with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The substitute reported to said bill was adopted.
The bill was read a third time, and passed.

The committee on the Judiciary to whom was referred bill No. 1, a bill for an act to amend chapter 188, of the Revised Statutes, entitled "of costs and fees;"

Also,

Mem. No. 58, A., remonstrance of David Ferguson and others on the same subject;

And have instructed me to report the same back, and recommend that the enacting clause of the bill be stricken out, for the reason that in the opinion of your committee, no further legislation on said subject is necessary.

AMASA COBB, *Ch'n.*

The report of said committee was concurred in, and the enacting clause to

No. 1, A., was stricken out.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clauses thereof be respectively stricken out :

No. 152, A., a bill for act to amend chapter 157, of the session laws of 1859, entitled, an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes ;

No. 167, A., a bill for an act to amend section 6, of chapter 184, of the Revised Statutes, entitled, of executions, and proceedings supplementary thereto.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

Mem. No. 112, A., the memorial of J. N. Brooks and others, asking for an act to legalize the official acts of of town officers of the town of Chambers' Island, in Door county ;

Have had the same under consideration, and instruct me to report the same back to the Assembly and ask to be discharged from the further consideration of said subject. There being in the opinion of your committee no necessity for the legislation prayed for.

The same committee have also had under consideration

Mem. No. 100, A., the petition of A. K. Brush and others,

residents of Oshkosh, concerning writs of attachment in justices' courts;

And instruct me to report the same back to the Assembly as *unsound*, and ask to be discharged from the further consideration thereof.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill No. 24, A., "a bill for an act to repeal sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61, of chapter 158, of the Revised Statutes, entitled of the writ of *habeas corpus* relative to fugitives slaves ;"

Have had the same under consideration, and the majority of said committee, Messrs. Palmer and Bouck disagreeing, have instructed me to report the same back to the Assembly and recommend that the enacting clause of said bill be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend their passage without amendment:

No. 160, A., a bill for an act to amend section 7, of chapter 138, of the Revised Statutes, entitled "of costs and fees;"

No. 156, A., a bill for an act to amend section 16, of chapter 35, of the Revised Statutes, entitled "of excise;"

No. 150, A., a bill for an act to amend section 22, chapter 132, of the Revised Statutes, entitled "of issues, mode of trial, and judgment in civil actions."

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 163, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto ;"

Have had the same under consideration, and instruct me to report the same back to the Assembly, and recommend that the enacting clause be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

J. Res. No. 6, A., relative to the decision of the Supreme Court of this State, in the case of S. M. Booth ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that said resolutions be laid upon the table.

Your committee have not discussed the abstract merits of the

said resolutions, being of the opinion that the same do not present a proper subject for legislative action or review.

All of which is respectfully submitted.

AMASA COBB, *Ch'n.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 13, A., an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855;

No. 31, A., an act to amend subdivision 4, of section 38, of chapter 6, of the Revised Statutes, entitled "of the public printing and of the publication and distribution of statutes and other public documents;"

No. 50, A., an act to incorporate the Hanover Street Congregational Society;

No. 54, A., an act to amend section 31, of chapter 119, of the Revised Statutes, entitled "general provisions concerning courts of record, of the powers and duties of judges and of attorneys and officers of court."

ALBERT WOOD, *of Assem. Com.*

Said bills were signed by the Speaker.

The committee on Engrossed Bills, respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed:

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled "an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location, construction and operation of its line of road in this State;"

No. 85, A., a bill for an act to amend chapter 91, of the laws of 1858, entitled "an act to provide for the protection of stockholders of railroad corporations;"

No. 104, A., a bill for an act to amend section 9, of chapter 183, of Revised Statutes, entitled "of offences cognizable before justices of the peace."

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town;

No. 115, A., a bill for an act to legalize certain proceedings of county courts and courts of probate;

No. 158, A., a bill to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb, to Amanda Louisa Brand;

No. 170, A., a bill for an act to extend the time for the payment and collection of the corporation taxes in the village of Oconto.

M. HOWLAND, *Ch'n.*

The committee on Banks and Banking, have had under consideration

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock ;

And have instructed me to report the same back with a substitute, and recommend the adoption and passage of the substitute.

WM. GRISWOLD, *Ch'n.*

The committee composed of the members from the city of Milwaukee, to which was referred

No. 171, A., entitled "a bill for an act to vacate block 20, of Vliet's addition to the city of Milwaukee;

Have had the same under consideration, and respectfully report the same back to the Assembly, and recommend that it do pass.

MATH. HUMANN,
L. A. SCHMIDTNER,
H. L. PALMER,
EDWARD D. HOLTON,
EDWARD KEOGH.

MESSAGE FROM THE GOVERNOR.

• EXECUTIVE OFFICE,

MADISON, Jan. 31st, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State :

An act to change the time of holding courts in the county of Richland, in the Fifth Judicial Circuit ;

An act to repeal chapter 11, of the General Laws of 1858, entitled "an act to authorize the Judge of the Sixth Circuit to appoint a place for holding the circuit court in the county of Buffalo ;

An act to appropriate to E. Martin the sum of \$30 ;

An act so appropriate to Hiram Stone the sum of \$41 50 ;

An act to appropriate to Andrew Bishop the sum of \$312 ;

An act to appropriate to Gabriel Bouck the sum of \$80 37 ;

An act to appropriate to James W. Harvey the sum of \$7 ;

An act to appropriate to Samuel Klauber the sum of \$392 56;
An act to appropriate to William H. Foster the sum of \$80;
An act to appropriate to Moseley & Bro., the sum of \$604 18 ;

An act to appropriate T. N. Bovee the sum of \$27 45 ;

An act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

An act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee," and the several acts amendatory thereof.

ALEX. W. RANDALL.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed No. 10, S., a bill to permanently fix the compensation of officers and employees of the Legislature.

Also, that the Senate has concurred in the passage of

No. 8, A., a bill for an act to reduce the capital stock of the Bank of Oshkosh;

No. 18, A., a bill for an act to amend section 58, of chapter 19, of the Revised Statutes, entitled "of highways and bridges;"

No. 62, A., a bill for an act to amend section 33, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

No. 28, A., a bill for an act to authorize the laying out of a State Road from Eau Claire, in Eau Claire county, to Monomonee, in Dunn county;

I am further directed to inform you that the Senate has passed

No. 41, S., a bill for an act to amend chapter 71, of the Private and Local Laws of 1856, entitled "an act granting to William Millard the right to keep and maintain a ferry across the Wisconsin river in the town of Prairie du Sac, Sauk county, and Black Earth, Dane county;

No. 43, S., a bill for an act to appropriate to Hiram Bowen, the sum of \$50.

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859.

No. 61, S., a bill to amend sec. 27, chap. 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions."

No. 79, S., a bill for an act to appropriate to W. P. Towers, the sum of \$496 02.

No. 80, S., a bill for an act to authorize the Wisconsin Bank of Madison to reduce its capital.

BILLS AND RESOLUTIONS FROM THE SENATE,

On their first and second reading.

No's. 10, 41, 43, 48, 61, 79, and 80, S., were severally read first and second times, and referred, as follows:

No. 10, S.,

To the committee on Legislative Expenditures.

And

No's. 41, 43, 48, 61, 79 and 80, S.,

To the general file.

On motion of Mr. Upson,

No. 66, A., a bill for an act to divide the town of Wheatland and create the town of Randall, in the county of Kenosha;

Was taken from the general file, and

Referred to the delegation from Kenosha county.

BILLS READY FOR A THIRD READING.

No. 59, A., a bill for an act to declare, Hall or Pine Creek, in the county of Jackson, a navigable stream ;

Was indefinitely postponed.

BILLS REPORTED BY THE COMMITTEE OF THE WHOLE.

Taken up.

No. 42, A., a bill for an act exempting certain University lands from taxation ;

Mr. Palmer moved to amend section 1, by inserting after the word "purposes," where it first occurs in said section, the words

"And which is or shall be held or appropriated solely for the purpose of sustaining the said University ;"

Which was agreed to.

Mr. Lyon moved to amend the first section by striking out the word "ten" and inserting the word "five ;"

Which was agreed to.

Mr. Bunn moved to amend by adding at the end of section one,

"Nor after the same shall be leased or otherwise used with a view to profit ;"

Which was agreed to.

Mr. Stannard moved to amend by adding "and that the amount of land so exempt from taxation, shall not exceed ten thousand acres ;"

Which was lost,

And the bill as amended was ordered to be engrossed for a third reading.

No. 136, A., a bill for an act to appropriate to C. W. Bennett the sum of \$65 ;

Was ordered engrossed for a third reading.

Mr. Bouck moved that the Assembly resolve itself into the Committee of the Whole on the general file of bill ;

Mr. Bovay moved to amend by striking out "general file of bills," and inserting "Governor's Message and Res. No. 16, A."

Mr. Humann moved to adjourn,

Which was not agreed to.

Mr. Humann moved a call of the House;

Which motion being sustained,

The roll was called,

And the following named gentlemen were found to be absent without leave :

Messrs. Farwell, Fischer, Golden, Greene, Hayden, Lewis, Mackay, McKay, Townsend, Westby, and Winter.

Mr. Howland moved to dispense with further proceedings under the call ;

The ayes and noes were called for and ordered, and

The motion was lost by the following vote :

Those who voted in the affirmative were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Goodwin, Griswold, Hammarquist, Holton, Horton, Howland, Johnson, Judd, Langland, McMichael, Mitchell, Moore, Nash, Ordway, Phillips, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—47.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Griffin, Grover, Hesck, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Ruan, Schmidtner, Seaton, Simpson, Sutton, Wheeler and Wiley—32.

Mr. Hunkins moved to adjourn;

Which was disagreed to.

Mr. Elmore asked leave of absence for two minutes;

Which the Speaker decided to be out of order;
 Whereupon,
 Mr. Elmore moved to adjourn;
 The ayes and noes were called for and ordered;
 And the Assembly refused to adjourn,
 By the following vote:

Those who voted in the affirmative were
 Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck,
 Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Griffin,
 Grover, Hesk, Humann, Hunkins, Jackson, Keogh, Kiefer,
 Kingsbury, Meigs, Mulholland, Munn, Neville, Palmer, Patch-
 in, Robertson, Ruan, Schmidtner, Seaton, Simpson, Sutton,
 VandkerCook and Wiley—36.

Those who voted in the negative were
 Messrs. Baldwin, Ballantine, Barden, Barnum, Bartlett,
 Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb,
 DeWolf, Dickson, Goodwin, Griswold, Hammarquist, Holten,
 Howland, Johnson, Langland, McMichael, Mitchell, Moore,
 Nash, Ordway, Phillips, Rogers, Smith, Spottawood, Stan-
 nard, Sumner, Upson, Weage, Wescott, Wheeler, Whittlesey,
 Whiting, Wood, Young and Mr. Speaker—43.

REPORT OF SERGEANT-AT-ARMS.

The Sergeant-at-Arms reports that, upon due search and en-
 quiry, he has been unable to find any of the absentees except
 Fischer.

JOS. GATES, *Sergeant-at-Arms.*

On motion of Mr. Bovay,
 The report was received, and further proceedings under the
 call was dispensed with.

Mr. Palmer moved to adjourn;
 Which was disagreed to.

The question recurring upon Mr. Bovay's motion to amend,
 Mr. Palmer moved to lay that motion on the table;
 The ayes and noes being called and ordered,
 The motion to lay on the table was lost by the following vote:

Those who voted in the affirmative, were
 Messrs. Ahlhauser, Altenhofen, Beath, Bouck, Bow, Boyd,
 Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hayden,
 Hesk, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury,
 Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Ruan,
 Schmidtner, Seaton, Simpson, Sutton and Wiley—32.

Those who voted in the negative, were.
 Messrs. Bachuber, Baldwin, Ballantine, Barden, Barnum,
 Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child,

Clise, Cobb, DeWolf, Dickson, Fischer, Goodwin, Griswold, Hammarquist, Holton, Horton, Howland, Johnson, Judd, Langland, McMichael, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Mr. Bouck moved to adjourn ;

Which was lost.

Mr. Palmer moved to amend Mr. Bovay's motion, so as to postpone the whole matter until 11 o'clock to-morrow ;

Pending which,

Mr. Elmore moved to adjourn ;

Which was lost.

Mr. Palmer, on leave, withdrew his amendment.

Mr. Hayden moved to adjourn until 4 o'clock this afternoon ;

Which was lost.

Mr. Boyd moved to adjourn until 7 P. M. ;

Which was lost.

The question recurring upon Mr. Bovay's motion to amend the motion of Mr. Bouck,

It was agreed to.

The question occurring on Mr. Bouck's motion as amended,

It was agreed to.

And the Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the Governor's Message, and

Res. No. 16, A., referring Governor's Message to appropriate committees,

Mr. Holton in the Chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the Governor's Message and Res. No. 16, A., had made progress, and asked leave to sit again ;

Leave was granted.

On motion of Mr. Griswold,

The Assembly adjourned.

THURSDAY, FEBRUARY 2, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Peck, officiated as chaplain.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Cobb,

Leave of absence was granted to Mr. Mackay, until Tuesday next.

On motion of Mr. Meigs,

Leave of absence was granted to Mr. Townsend, until Monday next.

By Mr. Dockry:

OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS,
MILWAUKEE COUNTY, MILWAUKEE, Jan. 31, 1860.

I hereby certify that at the special election, held on the 26th day of January, A. D. 1860, Theodor Hartung was elected member of Assembly for the district composed of the towns of Wauwatosa and Greenfield, in the county of Milwaukee, State of Wisconsin, to fill the vacancy created by the death of Andrew Eble, as appears from the determination of the Board of County Cavassers of Milwaukee county, on file in my office.

In testimony whereof I have hereunto subscribed my name and
[L. S.] affixed my official seal, the day and year first above written.

C. T. HASKEN,
Clk. B l. Supervisors, Milwaukee Co.

Mr. Hartung appeared in the Assembly chamber, the oath of office was administered by the Speaker, and he took his seat.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Goodwin:

Mem. No. 129, A., of F. W. Perry, and others, of Menasha, in reference to the five per cent. income on foreign insurance companies;

To committee of the Whole, with
Bill No. 48, A.

By Mr. McKay :

Mem. No. 130, A., of E. Lathrop, L. S. Fisher and 226
other legal voters of the county of Monroe, for an act to
change the present system of county government ;

And

Mem. No. 131, A., of S. D. Powers, Robt. E. Gillett and
28 other legal voters of Monroe county, in favor of a change
in the system of county government ;

Which were severally referred, to accompany
J. Res. No. 41, A.

By Mr. Phillips :

Mem. No. 132, A., of J. E. S. Cooper, O. B. Smith and
others, for the repeal of charter for the Kilbourn City dam,
and for an appropriation to remove the same ;

To committee on Internal Improvements.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Bouck :

No. 42, A., the acct. of Milo Coles.

By Mr. Neville :

No. 43, A., the acct. of John F. Lessy.

By Mr. Fairchild :

No. 44, A., the acct. of George Paine;

And

No. 45, A., the acct. of Wright & Paine.

By Mr. Phillips :

No. 46, A., the acct. of D. R. Clements.

Mr. Smith moved to suspend all rules interfering with the
passage of

No. 197, A., a bill for an act to appropriate to Church &
Hawley the sum of \$2,985 ;

And that said bill be taken from the general file and put on
its final passage,

Which was agreed to.

Mr. Humann moved to refer said bill to a select committee
of three ;

Mr. Smith moved to refer said bill to the Judiciary com-
mittee ;

Said motions to refer were subsequently withdrawn, on leave
given ; and

No. 197, A., was read a third time, and

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Elmore, Fairchild, Goodwin, Green, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Humann, Jackson, Johnson, Judd, Keogh, Kingsbury, Langland, Meigs, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rogers, Simpson, Smith, Stannard, Sumner, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Wood and Young—62.

Those voting in the negative, were

Messrs. Ahlhauser, Ballantine, Boyd, Clise, Dickson, Dockry, Golden, Griswold, Howland, Hunkins, Kiefer, Lewis, McMichael, Mitchell, Moore, Mulholland, Robertson, Ruan, Schmidtner, Seaton, Spottswood, Westby, Wiley, and Mr. Speaker—23.

And the title of said bill was agreed to.

RESOLUTIONS CONSIDERED.

Res. No. 58, A.,

Requesting information from the Secretary of State,

Introduced by Mr. Munn yesterday,

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred.

By Mr. Howland :

No. 199, A., a bill for an act to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and the cancelling of mortgages ;"

To committee on the Judiciary.

By Mr. Wheeler :

No. 200, A., a bill for an act to repeal an act entitled "an act to amend chapter 59, of the Local Laws of 1855, entitled 'an act to incorporate the Beloit Gas Light and Coke Company ;'"

To committee on Incorporations.

By Mr. Cole :

No. 201, A., a bill for an act to provide for the removal of the county seat of La Fayette county ;

To committee on Town and County Organization.

By Mr. Bouck :

No. 202, A., a bill for an act to amend an act entitled "an act to incorporate the Sheboygan and Appleton Railroad Company," approved March, 29, 1855 ;

To committee on Railroads.

By Mr. Wiley :

No. 203, A., a bill for an act to amend chapter 183, of the Revised Statutes, entitled "of offences cognizable before justices of the peace ;"

To committee on the Judiciary.

Mr. Palmer asked leave of absence for the remainder of the day ;

Leave was granted.

Mr. Cobb asked leave to withdraw

Acc. No. 2, A., of H. W. Curry ;

Leave was granted.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills report that they have examined the following bill, and find it correctly engrossed, under Rule 48 :

No. 186, A., a bill for an act to appropriate to C. W. Bennett the sum of \$65.

M. HOWLAND, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Mem. No. 60, A., petition of D. R. Bean and many others, desirous that the School Law may be so altered that district officers shall be elected annually ;

Have had the same under consideration, and direct me to report the same back with the recommendation that the consideration of the same be indefinitely postponed.

E. D. HOLTON, *Ch'n.*

The Milwaukee delegation, to whom was referred bill

No. 183, A., to vacate block No. 7, in Cross & Ludington's addition to Milwaukee ;

Have had the same under consideration, and report the same back with the recommendation that the bill pass.

E. D. HOLTON,
MATH. HUMANN,
H. L. PALMER,
E. G. HAYDEN,
L. A. SCHMIDTNER.

The committee on Privileges and Elections, to whom was referred,

Mem. No. 1, A., of Mitchell L. Delany, contesting the seat of the Hon. Matthias Altenhoffen, as member of the Assembly from the second Assembly district, of Washington county,

Have had the same under consideration, and have examined all the evidence presented to them, and find from said evidence that at a general election held on the 8th day of November last, 1859, in the county of Washington, the said Matthias Altenhoffen received in the second Assembly district in said county, for member of Assembly, 519 votes; Mitchell L. Delany received 292 votes, and Jesse Myers received 250 votes, and that the whole number of votes cast for member of Assembly in said district was 1,061.

We find that said votes were duly canvassed by Michael Brown, Deputy Clerk of the Board of Supervisors, of Washington county, Mitchell L. Delany, the said contestant, and Charles A. Cran, justices of the peace, acting as the county board of canvassers.

That the said board of Canvassers determined that Matthias Altenhoffen had received the greatest number of votes for member of Assembly in said Assembly District, and was therefore duly elected to that office, and thereupon issued to him his certificate of office.

The committee further find, that at the time the said Matthias Altenhoffen, so received the above number of votes, he was duly commissioned and acting deputy postmaster, under the post office department of the United States, that he held his office of deputy postmaster, in the county of Washington, in this State, that after his election, and before presenting his credentials to this honorable body, and taking his seat as a member thereof, he resigned the office of deputy postmaster, which resignation was accepted, and his successor duly appointed by the post office department.

The committee are of the opinion,

1st. That the petitioner, Mitchell L. Delaney, was not duly elected, and is not legally entitled to a seat in this body;

2d. That Matthias Altenhofen was duly elected a member of this body, and is legally entitled to retain his seat on this floor. The committee therefore ask leave to present the following resolutions.

J. S. BUGH, *Ch'n.*

Res. No. 59, A.,

Resolved, That the Hon. Matthias Altenhofen is legally entitled to retain the seat which he now occupies as a member of this body.

Res. No. 60, A.,

Resolved, That the petition of Mitchell L. Delany, be, and the same is hereby denied.

Minority Report.

The undersigned, a minority of the committee on Privileges and Elections to whom was referred the matter of the contestation of the election of Matthias Altenhofen, as member of Assembly from the second Assembly district of the county of Washington, respectfully dissenting from the conclusion to which the majority have arrived, begs leave to report:

1st. That the said contestant, Mitchell L. Delany, the said claimant to the seat aforesaid, and said Matthias Altenhofen appeared before your committee, and then and there by the respective parties, the testimony hereunto submitted. A part of which appears to have been taken in pursuance of chap. 9, sec. 7, of the Revised Statutes of 1858, from which it appears that at the time, and previous to the general election of 1859, the said Altenhofen was, and had been, for a long time previous thereto, a postmaster of the Kewaskum post office, in said county of Washington, in the State of Wisconsin.

That he received his commission as such in January or February, 1856, and that he tendered his resignation on the 21st day of December, 1859, and that he continued to act as, and perform the duties of Post Master, up the 4th day of January, 1860.

It further appears that, at the general election for the year 1859, the said Altenhofen received, for member of the Assembly for the Second Assembly District of Washington county, 519 votes, the said Delaney received 292 votes, and Jesse N. Myers received 250 votes, and that the whole number of votes cast for said office in said district was 1,061.

It further appears that the said Mitchell L. Delaney, was called, as a justice of the peace, to aid in forming the Board of Canvassers for said county, for canvassing the votes cast in said county at said election.

It further appears that said Altenhofen received a plurality of votes at said election for said office.

But it further appears that, at the time of said election, the said Altenhofen held a civil office under the United States, to wit: the office of Post Master, as aforesaid, by virtue of a commission duly issued by the Post Master General of the United States, in the year A. D. 1856, which commission continued in full force, and under which he continued to act, up to the 4th day of January, 1860.

And from the facts and evidence so appearing to the committee aforesaid, the undersigned respectfully reports that, by virtue of the 13th section of article 4th of the Constitution of the State of Wisconsin, to wit: "No person being a member of Congress, or holding any military or civil office under the United States, shall be eligible to a seat in the Legislature; and if any person shall, after his election as a member of the Legislature, be elected to Congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat;" and the said Altenhofen, being Post Master as aforesaid, and holding said office under the United States, he was at the time of said election, *ineligible* to said office of Assembly for the district aforesaid.

It appears to the undersigned that the design of the section of the Constitution before referred to, was to exclude from the Legislative offices provided for thereby, all persons who hold office of profit or trust under the government of the United States. That this was the intention of the framers of the Constitution can admit of no doubt, as the very office in question was twice brought directly, and by *name*, before the Convention, as will appear by reference to pages 118, 212 and 229, of the proceedings and debates of said Convention.

From these references it appears, that while the Legislative article was under consideration, the proposition was distinctly made to the Convention, to except Postmasters from the inhibitory provisions of the 13th section of said article, and after debate thereon, said proposition was deliberately rejected.

The convention thus giving palpable evidence of their intention in this respect.—Journal of Debates, 212.

Again, this subject (namely,) to except postmasters from the prohibitory provisions of the Constitution, was explicitly presented to the consideration of the convention, and *again* distinctly and unequivocally rejected; thus showing, it would seem, unequivocally, the plain meaning and intent of the convention to insist upon the full extent and clear meaning of the words used.

The question now presented to the Assembly is, shall we stand by, maintain and support the Constitution, as it has been adopted and ratified by the people of the whole State?

If the mere plurality of the votes of a single Assembly district can be permitted to nullify or overturn this clear provision of the Constitution, then it would seem that the obligations and mandates of that instrument should be of no binding force upon the members of this body, who are merely the representatives of such pluralities, or majorities, as the case may be.

Yet every member here is required to take an oath to sup-

port the Constitution. By it we are all bound, and its obligations of duty and obedience are no less obligatory upon our respective constituencies.

The word "eligible" in the clause of the Constitution before referred to, requires no nice philological disquisition to ascertain and determine its meaning.

Its reference, application and signification evidently refer to the time of election. "Eligible" is not, and cannot be the subject of chance, and unless at the time of legal choice by the legal votes, that choice be directed to, and exercised upon a constitutional subject of such choice, the action in that respect must be void, and the votes applicable to the constitutional objects of such choice, can only be regarded.

Nor should it be deemed admissible that a resignation of such office, so inhibited by the Constitution, after the result of the election becomes known, can cure the original incompetency.

The design of the Constitution evidently was to secure our State elections against the influence of an army of federal office holders, penetrating every town and neighborhood, and controlled or controllable by the one federal, *central* power.

Nor, as would seem to be the idea of the majority, should it be admitted that the doctrine of estoppel applies to a grave constitutional question of this kind.

More especially should it not apply to the contestant in this case, as his duties as one of the board of canvassers were merely ministerial, namely: to count the votes and ascertain their numerical result, and *not* to decide upon the qualification of candidates. In this respect he had no judicial function, and could only perform his simple duty of counting the votes, as they were returned by the inspectors.

How then could it make any difference in regard to his rights as a contestant, that he had honestly performed that ministerial duty.

Although this House is made a judge of the qualifications and election of its own members, yet, it is respectfully submitted, that in so deciding, the members are bound by all the constitutional provisions and restrictions in the constitution which they are sworn to support.

In conclusion, it is submitted, that from the facts in the case, as will appear from the evidence herewith submitted, the said Altenhofen holding the office of postmaster under the government of the United States, at the time of the general election in 1859, was not eligible to the office of member of Assembly, and that the votes cast for him were therefore void, and that the said Delany having received the greatest number of legal votes cast at such election, is entitled to his seat.

The undersigned would therefore report, that in his opinion, Mitchell L. Delany is duly elected to a seat in this Assembly.

All of which, and the following resolutions, are respectfully submitted.

ORAN ROGERS.

Res. No. 61, A.,

Resolved, That Mitchell L. Delany, is entitled to his seat in this assembly as a member thereof.

Res. No. 62, A.,

Resolved, That Matthias Altenhofen, is not entitled to a seat as a member of this Assembly.

Mr. Howland moved that when the Assembly adjourn, it adjourn until 3 o'clock this afternoon,

And that the reports and resolutions of the committee on Privileges and Elections be made the special order for that hour.

Mr. Bartlett moved to amend by making said reports the special order for 11 o'clock to-morrow;

Whereupon, Mr. Howland withdrew his motion;

And the question occurring upon Mr. Bartlett's motion, It was agreed to.

The committee on the Judiciary, to whom was referred bill No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions;"

Have had the same under consideration, and instruct me to report the same back to the Assembly with amendments, and recommend its passage as amended.

AMASA COBB, *Ch'n.*

The select committee, consisting of the delegation from Kenosha county, to whom was referred

Bill No. 66, A., entitled a bill for an act to divide the town of Wheatland, and to create the town of Randall, in the county of Kenosha,

Respectfully report the same back, with a substitute, and recommend that the bill and substitute be referred to the committee on Town and County Organization.

S. UPSON, *Ch'n.*

The recommendation of the select committee was agreed to.

The committee on Town and County Organization, to whom was referred

Mem. No. 47, A., petition of C. W. Marshal and others, to abolish the county board of supervisor system, and to establish the commissioner system;

Also,

Mem. No. 5, of supervisors of Bad Ax county, on the same subject ;

And report the same back, with the recommendation that they be referred to select committee under J. Res. No. 41, A.

J. P. DICKSON, *Ch'n.*

The recommendation of the committee was agreed to.

The committee on Town and County Organization, to whom was referred bill

No. 99, A., a bill for an act to amend section 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries ;"

Have had the same under consideration, and report it back with a substitute, and recommend the adoption and passage of the substitute. -

J. P. DICKSON, *Ch'n.*

The committee on Charitable and Religious Societies, to which was referred

Mem. No. 117, A., memorial of James S. Stickney and others, asking relief from the vote of Milwaukee county paupers ;

Report by bill, and recommend its passage.

STODDARD JUDD, *Ch'n.*

Said bill being

No. 204, A., a bill to define the qualifications of electors in certain cases ;

Was read a first and second time, and placed on the general file.

The committee on Banks and Banking, to whom was referred

No. 127, A., a bill for an act to reduce the capital stock of the Farmers and Millers Bank of Milwaukee ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

WM. GRISWOLD, *Ch'n.*

The committee on Banks and Banking to whom was referred

No. 190, A., a bill to permit the Bank of Beloit to reduce its capital stock ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that it do pass.

WM. M. GRISWOLD, *Ch'n.*

The committee on Town and County Organization to whom was referred

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawano and Oconto ;

Have had the same under consideration and report the same back with the recommendation that it do pass.

J. P. DICKSON, *Ch'n*

Said bill No. 63, A.,

Was ordered engrossed for a third reading.

The committee on enrolled bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 8, A., an act to reduce the capital stock of the Bank of Oshkosh;

No. 18, A., an act to amend section 58, of chapter 19 of the Revised Statutes, entitled "of highways and bridges;"

No. 28, A., an act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Menomonee, in Dunn county;

No. 62, A., a bill for an act to amend section 33, of chapter 133, of the Revised Statutes, entitled "of costs and fees."

ALBERT WOOD, *Ch'n*.

Said bills were signed by the Speaker and sent to the Senate.

The Columbia county delegation, to whom was referred

Mems. Nos. 25 and 26, A.;

Having had the same under consideration, have instructed me to report the same back with the enclosed bill, and recommend its passage.

H. B. MUNN, *Ch'n*.

Said bill being

No. 205, A., a bill to amend chapter 274, of the General and Special Statutes of 1850, entitled "an act granting to James B. Miller the right to keep and maintain a ferry across the Wisconsin river at Dekorra, in the county of Columbia ;

Was read first and second times, and

Placed on the general file.

The joint committee on Enrolled Bills report that on the 2d of February inst., they presented to the Governor for his approval, the following bills, viz :

No. 54, A., a bill for an act to amend section 81, of chapter 119, of the Revised Statutes, entitled "general provisions concerning courts of record, of the provisions and duties of judges and of attorneys and officers of court ;

No. 50, A., a bill for an act to incorporate the Hanover Street Congregational Society ;

No. 13, A., a bill for an act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 29, 1855 ;

No. 31, A., a bill for an act to amend subdivision 4, of sec-

tion 38, of chapter 6, of the Revised Statutes, entitled "of the public printing, and of the publication and distribution of Statutes and other public documents ;"

No. 94, A., a bill for an act to appropriate to Benjamin Williams the sum of \$50.

GEO. BENNETT, *of Senate Com.*

A. WOOD, *of Assembly Com.*

The committee on Claims to whom was referred

No. 26, A., the acct. of Josiah Woodworth, for conveying Joseph Lacy, a convict to States Prison;

No. 37, A., the acct. of C. H. Luce, for lumber furnished Sup't Public Property;

No. 38, A., the acct. of B. W. Suckow, for binding, lettering and boxes for stationery furnished Legislature;

Have had the same under consideration, and report them back by bills

No. 206, A., a bill for an act to appropriate to Josiah Woodworth, the sum of \$16 50 ;

No. 207, A., a bill for an act to appropriate to C. H. Luce, the sum of \$189 84 ;

No. 208, A., a bill for an act to appropriate to B. W. Suckow, the sum of \$91 65 ;

And recommend that said bills do pass.

The same committee have also had under consideration

No. 133, A., a bill for an act to appropriate to Chauncey Abbott, the sum of \$200 ;

And would recommend that said bill do pass.

Also the account

No. 40, A., the acct. of Berliner & Bruno ;

And would recommend that they have leave to withdraw their account for correction.

HEBER SMITH, *Ch'n.*

Nos. 206, 207 and 208, A., were read twice, and

Referred to the Committee of the Whole.

Messrs. Berliner & Bruno had leave to withdraw their account.

The select committee to whom was referred

No. 184, A., an act authorizing the commissioners of school land to vacate a certain sale to Ephraim Coles ;

Have examined the said act, and unanimously recommend its passage.

STODDARD JUDD,
JOHN C. NEVILLE,
ANDERSON WHITING.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to present to you for signature
No. 44, S., an act to authorize Ephraim Kingsbury to erect
and maintain a boom on the Wisconsin river, in Sank county;

No. 22, S., an act to amend chapter thirteen of the Revised
Statutes, entitled "of counties and county officers;"

No. 77, S., an act to provide for making new lists of jurors
for the county of Sheboygan;

No. 13, S., an act to authorize the Secretary of State to
audit the Manitowoc Agricultural Society the annual appropriation
for the year 1859.

I am further directed to inform you that the Senate has concurred
in the passage of

No. 170, A., a bill for an act to extend the time for the payment
and collection of corporation taxes in the village of Oconto.

I am further directed to inform you that the Senate has passed

M. C. No. 1, S., in relation to the affairs of Indian tribes
within the State of Wisconsin;

And asks the concurrence of the Assembly in the same.

BILLS AND RESOLUTIONS FROM THE SENATE,

On first and second reading.

On motion of Mr. Bovay,

The Assembly insisted upon its amendment to,

No. 7, S., a bill for an act to authorize the members and officers
of the Legislature to take newspapers at the expense of
the State, and to provide for the payment therefor;

And asked a committee of conference thereon;

Whereupon the Speaker appointed,

Messrs. Bovay, Griswold and Patchin, as such committee on
the part of the Assembly.

The rules were suspended for the consideration of,

Mem. C. No. 1, S., (above named,)

Mr. Hunkins moved to lay said memorial on the table;

Which was not agreed to.

On motion of Mr. Bouck,

Said memorial was referred to the committee on Swamp and
Overflowed Lands.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed :

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled "an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location, construction, and operation of its line of road in this State ;"

No. 85, A., a bill for an act to amend chapter 91, of the laws of 1858, entitled "an act to provide for the protection of stockholders of railroad corporations ;"

No. 104, A., a bill for an act to amend section 9, of chapter 183, of Revised Statutes, entitled "of offences cognizable before justices of the peace ;"

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town ;

No. 115, A., a bill for an act to legalize certain proceedings of county courts and courts of probate ;

No. 158, A., a bill to amend chapter 222, of the session laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb, to Amanda Louisa Brond ;"

And the titles agreed to.

On motion of Mr. Bartlett,

The Assembly resolved itself into

COMMITTEE OF THE WHOLE,

On the Governor's Message, and

Res. No. 16, A., referring Governor's Message to appropriate committees.

Mr. Holton in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the Governor's Message and Res. No. 16, A.; had made sundry amendments to said resolution, and reported the same back with the recommendation that said resolution, as amended, be adopted.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

The amendments to

Res. No. 16, A., were concurred in,

And the resolution as amended was adopted, as follows :

Res. No. 16, A.,

Resolved, That so much of the Governor's Message as relates to the School and University Fund, be referred to the committee on Education, School and University Lands ;

So much as treats of Swamp Lands and the Swamp Land Fund, to the committee on Swamp and Overflowed Lands ;

So much as treats of valuation and assessments, to the select committee under Res. No. 22, A. ;

So much as treats of the enlargement of the Capitol, to the committee on State Affairs ;

So much as treats of the State Prison and the State Reform School, to the committee on State Prison ;

So much as relates to the Adjutant General's report, to the committee on the Militia ;

So much as relates to the Geological Survey, to the Joint Committee for Investigation ;

So much as relates to local legislation, to the committee on the Judiciary ;

So much as relates to Banking, to the committee on Banks and Banking ;

So much as relates to the rates of Interest, to a select committee of five ;

So much as relates to Rail-Roads, to the committee on Rail-Roads ;

So much as relates to Slavery, and the emigration of free colored persons to some place in Central or South America, to the committee on Federal Relations ;

So much as relates to the several State benevolent institutions, (except the Hospital for the Insane) to the committee on Ways and Means ;

And so much as relates to the Hospital for the Insane, to the select committee on that subject.

Mr. Cobb, on leave introduced,

No. 209, A., bill for an act to provide for holding the first term of the circuit court of the county of Iowa, for the year 1860 ;

Which was read the first and second times.

On motion of Mr. Cobb,

The rules were suspended, and

No. 209, A., was read a third time and passed ;

And the title agreed to.

Mr. Dockry asked leave of absence for Mr. Ahlhauser, until Tuesday next ;

Which was granted.

On motion of Mr. Humann,

The Assembly adjourned.

FRIDAY, FEBRUARY 8, 10 o'clock, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Eggleston officiated as Chaplain.

On motion of Mr. Childs,

The reading of the journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence:

Mr. Wiley for eight days;

Mr. Phillips for one week;

Messrs. Hammarquist, Horton, VanderCook, Judd, Whittlesey and Nash, for three days.

Mr. Goodwin moved that when the Assembly adjourn, it adjourn until Tuesday next.

Mr. Wescott moved to amend by adding, "at 2 o'clock, P. M.;"

Which was agreed to.

The question occurring upon Mr. Goodwin's motion as amended,

It was adopted.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Cole:

Mem. No. 184, A., of L. E. Johnson and 1,000 other legal voters of LaFayette county, for a law providing for the removal of the county seat, and against any dismemberment of said county;

To committee on Town and County Organization.

By Mr. Palmer:

Mem. No. 135, A., of board of supervisors of Milwaukee county, praying the restoration of the death penalty;

To committee on the Judiciary.

ACCOUNTS,

Presented and referred to committee on Claims:

By Mr Bow:

No. 47, A., the acct. of A. P. Lipe;

And

No. 48, A., the acct. of A. P. Lipe.

RESOLUTIONS INTRODUCED.

By Mr. Patchin :

Res. No. 63, A.,

Resolved. That the Judiciary committee be, and hereby are requested to examine the acts establishing the counties of Waupaca and Shawano, and report to this body after such examination, which of said counties, in their opinion, is entitled to town 25, range 15 ;

Which lies over.

By Mr. Wheeler :

Res. No. 64, A.,

Resolved, That from and after the 4th day of February, A. D. 1860, the post office of the Assembly shall only be kept open on the Sabbath, between the hours of 8 and 10, A. M., and 2 and 4, P. M. ;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred :

By Mr. Bouck:

No. 210, A., a bill for an act prescribing the mode of sales on judgments or orders of court, in certain cases ;

To committee on the Judiciary.

By Mr. Neville:

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison Railroad ;

To committee on Railroads.

By Mr. Palmer:

No. 212, A., a bill for an act to empower cities, towns, and villages to grant the use of streets therein to certain railway companies ;

To committee on Judiciary.

By Mr. Neville:

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856 ;

To committee on Incorporations.

By Mr. Humann:

No. 214, A., a bill for an act to amend sections 1 and 2, of

chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases on behalf of the State ;"

To committee on Contingent Expenses.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills, respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed :

No. 42, A., a bill for an act exempting certain University lands from taxation ;

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto ;

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit ;

No. 164, A., a bill for an act to appropriate to L. E. Saxton the sum of \$83.

M. HOWLAND, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Res. No. 53, A.,

Relative to the State University, together with a substitute, have had the same under consideration, and direct me to report the same back with the recommendation that the substitute be adopted.

EDWARD D. HOLTON, *Ch'n.*

On motion of Mr. Goodwin,

The preamble to Res. No. 53, A.,

Was stricken out.

The substitute was then agreed to, and

The resolution as amended, was adopted, becoming

J. Res. No. 16, A.

A majority of the committee on "Swamp and Overflowed Lands," to whom was referred

Mem. No. 1, S., a memorial to the Congress of the United States in relation to the affairs of Indian tribes within the State of Wisconsin ;

Have had the same under consideration, and report the same back, with the recommendation that it pass.

ASAPH WHITTLESEY, *Ch'n.*,

JOHN PHILLIPS,

GEO. S. BARNUM.

The committee on Education, School and University Lands, to whom was referred

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawanaw county.

And accompanying

Mem. No. 39, A., memorial of the settlers upon the 16th section, town 26, range 15, Shawanaw county, asking relief;

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point;

No. 141, A., a bill for an act to locate and establish school house sites;

Have had the same under consideration, and direct me to report the same back, with amendments herewith submitted, and recommend that, when so amended, they do severally pass.

E. D. HOLTON, *Ch'n.*

The committee on Enrolled Bills report that they have compared the following bills, and find the same correctly enrolled:

No. 170, A., a bill for an act to extend the time for the payment and collection of the corporation taxes in the village of Oconto;

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin.

EDWARD KEOGH.

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills report that on the 3d inst. they presented to the Governor for his approval, the following bills, viz:

No. 22, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled "of counties and county officers."

No. 77, S., a bill for an act to provide for making new lists of jurors, for the county of Sheboygan.

No. 18, A., a bill for an act to amend sec. 58, of chap. 19, of the Revised Statutes, entitled "of highways and bridges."

No. 8, A., a bill for an act to reduce the capital stock of the Bank of Oshkosh.

No. 28, A., a bill for an act to authorize the laying out of a State road from Eau Claire, to Eau Claire county, to Menomonée, in Dunn county.

No. 62, A., a bill for an act to amend section 33, of chapter 133, of the Revised Statutes, entitled "of costs and fees."

No. 13, S., a bill for an act to authorize the Secretary of State to audit the Manitowoc County Agricultural Society the annual appropriation for the year 1859.

No. 44, S., a bill for an act to authorize Ephraim Kingsbury to erect and maintain a boom on the Wisconsin river, in Sauk county.

GEO. BENNETT, *of Senate Com.*
ALBERT WOOD, *of Assem. Com.*

The committee on Claims to whom was referred account, No. 29, A., the account of William G. Everit, for conveying convicts to State prison,

Have considered the same, and report it back by bill

No. 215, A., a bill for an act to appropriate to Wm. G. Everit the sum of \$157 50;

And recommend that said bill do pass.

Also, bill

No. 144, A., a bill for an act to appropriate to Church & Hawley the sum of money therein named;

And recommend that it be indefinitely postponed;

Also, account

No. 32, A., the account of Thomas Bendure, for serving requisition from Gov. Randall, on the Governors of Illinois and Missouri,

And recommend that the owner have leave to withdraw his account.

HEBER SMITH, *Ch'n.*

No. 215, A., was read first and second times, and

Referred to the committee of the Whole;

No. 144, A., was indefinitely postponed.

Mr. Barden had leave to withdraw account No. 32, A.

The committee on the Judiciary, to whom was referred bill

No. 191, A., a bill for an act to extend the time for collection of taxes in the city of Madison;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

On motion of Mr. Cobb,

The rules were suspended, and said bill,

No. 191, A., was read the third and passed,

And the title agreed to.

The committee on the Judiciary, to whom was referred

No. 172, A., "a bill for an act to legalize the official acts of the town officers of the town of Chamber's Island, in Door county;"

Have had the same under consideration, and report the same back to the Assembly and recommend that the enacting clause of said bill be stricken out.

AMASA COBB, *Ch'n.*

The committee on Enrolled Bills, have compared bill

No. 197, A., a bill for an act to appropriate to Church & Hawley the sum of two thousand nine hundred and eighty-five dollars;

And report the same as correctly enrolled.

EDWARD KEOGH.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed No. 84, S., a bill for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane;

No. 104, S., an act to prescribe the time for holding the terms of the circuit court in La Fayette county, in the Fifth Judicial Circuit;

And asks the concurrence of the Assembly in the same.

I am further directed to inform you that the Senate has concurred in the passage of

No. 197, A., a bill to appropriate to Church & Hawley the sum of \$29 85;

No. 186, A., an act to authorize the levying and collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Randolph, being in the town of Fox Lake.

I am further directed to present for signature,

No. 24, S., an act to appropriate to James W. Polleys, of La Crosse county, the sum of money therein named;

No. 26, S., an act to appropriate to James Fisher, sheriff of Crawford county, the sum of money therein named;

No. 40, S., an act to appropriate to the Wisconsin Telegraph Company the sum of \$321 13;

The said message being under consideration;

No. 84, S.,

Was read first and second times, and

Referred to committee of the Whole.

No. 104, S., was read first and second times, and

On motion of Mr. Cole,

The rules were suspended, and

Said bill was read the third time and passed.

Bills Nos. 24, 26 and 40, S., were signed by the Speaker.

On motion of Mr. Rogers,

Res. Nos. 59, 60, 61, and 62, A.,

Relative to the contested seat;

Which were made the special order for 11 o'clock, A. M. to-day;

Were postponed until Wednesday next, and made the special order for that day at 11 o'clock, A. M.

- On motion of Mr. Bartlett,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Boyd in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, and asked leave to sit again ;

Leave was granted.

They further reported back the following bills, with the several recommendations accompanying the same, as follows :

No. 179, A., a bill for an act to amend chapter 182, of the Private and Local Laws of 1859, entitled "an act to amend an act entitled 'an act to incorporate the city of Beaver Dam ;'"

No. 35, S., a bill for an act to amend chapter 19, of the Session Laws of 1859, entitled "an act to divide the county of Polk and erect the county of Dallas ;"

And

No. 37, S., a bill to amend section 10, of chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court ;"

Without amendment.

No. 25, S., an act to repeal chapter 114, General Laws of 1859, conferring civil jurisdiction on the county court of Crawford county ;

And

No. 45, S., a bill for an act to amend sec. 80, of chap. 18, of the Revised Statutes, entitled "of counties and county officers ;"

With recommendation of reference to the committee on the Judiciary.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

Nos. 25, and 45, S.,

Were referred to the committee on the Judiciary.

No. 179, A.,

Was ordered engrossed for a third reading.

Nos. 35, and 37, S.,

Were ordered to a third reading.

On motion of Mr. Holton,

The rules were suspended, and

M. C. No. 1, S., memorial to the Congress of the United States, in relation to the affairs of the Indian tribes in the State of Wisconsin ;

Was taken from the general file,

Read a third time and passed.

On motion of Mr. Munn,

The rules were suspended, and

No. 205, A., a bill to amend chapter 274, of the general and special statutes of 1850, entitled "an act granting to James B. Miller the right to keep and maintain a ferry across the Wisconsin river at Dekora, in the county of Columbia;"

Was taken from the general file, read a third time and passed,

And the title agreed to.

On leave, Mr. Schmidtner introduced

No. 216, A., a bill to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 18, of the Revised Statutes, entitled 'of assessment and collection of taxes:'"

Which was read first and second times, and

Referred to select committee under Res. No. 22, A.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

And,

No. 42, A., a bill for an act exempting certain University Lands from taxation;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Farwell, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hartung, Hayden, Hesk, Holton, Howland, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, McKay, Mitchell, Moore, Munn, Neville, Palmer, Patchin, Rogers, Ruan, Seaton, Simpson, Smith, Spottawood, Sumner, Sutton, Upson, VanderCook, Weage, Wescott, Wheeler, Whiting, Wood, Young and Mr. Speaker—66.

Those who voted in the negative were

Messrs. Bouck, Humann, Hunkins, Mulholland, Schmidtner and Stannard—6.

No. 164, A., a bill for an act to appropriate to L. E. Saxton the sum of \$83;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Farwell, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hartung, Hesk, Horton, Howland, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Langland, McKay, Meigs, Mitchell, Moore, Mulholland, Nash, Neville, Ordway, Palmer, Patchin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Westcott, Whiting, Wood, Young and Mr. Speaker—71.

None voting in the negative.

No. 136, A. a bill for an act to appropriate to C. W. Bennett the sum of \$65 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Goodwin, Griffin, Grover, Hartung, Hayden, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, McKay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Weage, Westby, Westcott, Wheeler, Whiting, Wood and Mr. Speaker—67.

Those who voted in the negative were

Messrs. Elmore, Neville, Robertson, Ruan and Young—5.

On motion of Mr. Bouck

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills.

Mr. Green in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 41, S., a bill for an act to amend chapter 71, of the Private and Local Laws of 1856, entitled "an act granting to

William Millard the right to keep and maintain a ferry across the Wisconsin river in the town of Prairie du Sac, Sauk county, and Black Earth, Dane county;

No. 48, S., a bill for an act to appropriate to Hiram Bowen the sum of \$50;

No. 79, S., a bill for an act to appropriate to W. P. Towers the sum of \$496 02;

No. 80, S., a bill for an act to authorize the Wisconsin Bank of Madison to reduce its capital;

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns, to build a dam across the Pecatonica river;

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

And

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

Without amendment.

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859;

With recommendation of reference to committee on the Expiration and Re-enactment of Laws;

No. 61, S., a bill to amend section 27, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial, and judgment in civil actions;"

And

No. 150, A., a bill to amend section 22, chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

With recommendation of reference to committee on the Judiciary.

No. 24, A., a bill for an act to repeal sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61, of chapter 158, of the Revised Statutes, entitled "of the writ of *habeas corpus* relative to fugitive slaves;"

With recommendation that the enacting clause be stricken out.

No. 152, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of Revised Statutes;"

With recommendation that Mr. Goodwin have leave to withdraw.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

No. 152, A.,

Was referred to a select committee of one consisting of Mr. Goodwin.

Nos. 48, and 61, S., and 150, A.,

Were referred to the committee on the Judiciary.

The further consideration of

No. 24, A.,

Was postponed until the 9th inst.

Nos. 41, 43, 79 and 80, S.,

Were ordered to a third reading.

Nos. 52, 120 and 124, A.,

Were ordered engrossed for a third reading.

On motion of Mr. Bouck,

The Assembly took a recess until 3 o'clock, P. M.

3 o'clock, P. M.

The Speaker called the Assembly to order.

On motion of Mr. Elmore,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On the general file of bills,

Mr. Griswold in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, and reported back the following bills with recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 160, A., a bill for an act to amend section 7, of chapter 133, of Revised Statutes, entitled "of costs and fees;"

No. 171, A., a bill for an act to vacate block 20, of Vliet's addition to the city of Milwaukee;

No. 198, A., a bill for an act to appropriate to W. E. Cramer the sum of \$93;

No. 133, A., a bill for an act to appropriate to Chauncy Abbott the sum of \$200;

No. 184, A., a bill for an act authorizing the Commissioners of School Land to vacate a certain sale to Ephraim Cole.

No. 185, A., a bill for an act to vacate block No. 7, in Cross and Luddington's addition to Milwaukee;

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock;

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50;

No. 207, A., a bill for an act to appropriate to Charles H. Luce the sum of \$189 84;

No. 208, A., a bill for an act to appropriate to B. W. Suckow the sum of \$91 65;

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawanaw county school land;

And

No. 215, A., a bill for an act to appropriate to William G. Everit the sum of \$157 50;

Without amendment.

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions;"

No. 127, A., a bill for an act to reduce the capital stock of the Farmers and Millers Bank, of Milwaukee;

And

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point;

With amendments.

No. 141, A., a bill for an act to locate and establish school house sites;

With recommendation of reference to the committee on Education.

No. 163, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

And

No. 172, A., a bill for an act to legalize the official acts of the town officers of the town of Chamber's Island, in Door county;

With the recommendation that the enacting clause be stricken out.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

The amendments to

Nos. 121, 127, and 176, A.,

Were concurred in.

And

Nos. 121, 127, 176, 185, 190, 75, 198, 188, 215, 206, 207,
208, 160, 171 and 184, A.,

Were ordered engrossed for a third reading.

The enacting clause to

Nos. 163, and 172, A.,

Were stricken out.

No. 141, A.,

Was recommitted to the committee on Education.

REPORT.

The joint committee on Enrolled Bills report, that on the 3d inst. they presented to the Governor for his approval the following bills, viz :

No. 17, A., a bill for an act to enable foreign executors and administrators to sue in the State of Wisconsin ;

No. 170, A., a bill for an act to extend the time for the payment and collection of the corporation taxes in the village of Oconto ;

No. 40, S., a bill for an act to appropriate to the Wisconsin Telegraph Company the sum of \$321 13 ;

No. 24, S., a bill for an act to appropriate to James W. Polleys, late sheriff of La Crosse county, the sum of money therein named ;

No. 197, A., a bill for an act to appropriate to Church & Hawley the sum of \$2,985 ;

No. 26, S., a bill for an act to appropriate to James Fisher, sheriff of Crawford county, the sum of money therein named, \$75.

GEO. BENNETT, *of Sen. Com.*

ALBERT WOOD, *of Assem. Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

No. 90, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859 inclusive ;

No. 135, A., a bill for an act to appropriate to Simon Sekles the sum of \$133 ;

No. 191, A., a bill for an act to extend the time for the collection of taxes in the city of Madison.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 68, S., a bill for an act to amend chapter 97 of the laws of 1849, being the charter of Carroll College.

Also, that the Senate has concurred in the passage of

No. 209, A., a bill for an act to provide for holding the first term of the circuit court of the county of Iowa, for the year 1860.

I am further directed to inform you that the Senate has passed

No. 111, S., a bill for an act to authorize the Forest City Bank to reduce its capital ;

No. 112, S., a bill for an act to authorize the Shawano Bank to reduce its capital ;

And asks the concurrence of the Assembly in the same.

The Senate has also concurred in the passage of

J. Res. No. 18, A.,

Relating to investments of capital in the manufacturing business ;

And has appointed Senators Sweat and Phillips, committee on the part of the Senate.

Consideration of said message being had, bills

Nos. 111, and 112, S.,

Were severally read first and second times, and

The rules having been suspended,

On motion of Mr. Elmore,

They were read the third time and concurred in.

No. 68, S.,

Was read first and second times, and

Placed on general file.

BILLS ON THIRD READING.

No. 35, S., a bill for an act to amend chapter 191, of the Session Laws of 1859, entitled "an act to divide the county of Polk and erect the county of Dallas ;"

And

No. 37, S., a bill to amend sec. 10, of chap. 52, of the General Laws of 1859, entitled "an act relating to the Dané county court ;"

Were read a third time and concurred in

On motion of Mr. Wheeler, and pursuant to a previous vote,

The Assembly adjourned to Tuesday next at 2 o'clock P. M.

TUESDAY, FEBRUARY 7th, 2 o'clock, P. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Elmore,

The roll was called.

Mr. Coles moved to take a recess for one hour ;

Pending which,

On motion of Mr. Elmore,

The Assembly adjourned.

WEDNESDAY, FEBRUARY 8, 10 o'clock, A. M.

The Assembly met.

The Speaker in the Chair.

Rev. Mr. Walter officiated as chaplain.

The journal of yesterday was read.

On motion of Mr. Bugh,

The journal of yesterday was corrected by striking out the names of all absentees.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Burt :

Mem. No. 136, A., of Thomas Williams to vacate part of the village plat of Sacramento ;

To committee on Incorporations.

By Mr. Kingsbury :

Mem. 137, A., of Nicholas Kline for relief in school land entry ;

To committee on the Judiciary.

By Mr. Young :

Mem. No. 138, A., of Charles M. Hedges and others, to vacate the plat of the village of Otterville ;

To committee on Incorporations.

By Mr. Cobb :

Mem. No. 139, A., remonstrance of Ole Oleson and seventy-one others, legal voters of Iowa county, against the passage of any law for the removal of the county seat of Iowa county ;

To committee on Town and County Organization.

By Mr. Miller :

Mem. No. 140, A., to annex certain territory to Geneva school district No. 1 ;

To committee on Education.

By Mr. Jackson :

Mem. No. 141, A., of Joseph Wheaton, Henry Robinson and thirty-two others, citizens of Richland county, asking for the adoption of the commissioner system of county government ;

To select committee on that subject.

By Mr. Townsend :

Mem. No. 142, A., remonstrance of John W. Blackstone and 1450 others, against the removal of the county seat of Lafayette county ;

To committee on Town and County Organization.

By Mr. Mackay :

Mem. No. 143, A., remonstrance of S. H. Scales and two hundred and forty-six others, against the removal of the county seat of Lafayette county ;

To committee on Town and County Organization.

And

Mem. No. 144, A., remonstrance of J. D. Martin and ninety-two others, against removal of the county seat of Lafayette county ;

To committee on Town and County Organization.

And

Mem. No. 145, A., remonstrance of P. McDermot and one hundred and thirty-four others, legal voters of Lafayette county, against the removal of the county seat ;

To committee on Town and County Organization.

By Mr. Cole :

Mem. No. 146, A., of John B. Stockdale and seven hundred others, legal voters of Lafayette county, for a law providing for the removal of the county seat and against any dismemberment of said county ;

To committee on Town and County Organization.

By Mr. Dockry:

Mem. No. 147, A., of Anthony Falbe, John W. Engels and three hundred other citizens of the town of Granville, Milwaukee county, for the incorporation of the village of Engelsburgh;

To committee on Incorporations.

By Mr. Bartlett:

Mem. No. 148, A., of Ira Mead and twenty-five others, for a State road from Eau Claire to Flambeau in Chippewa county;

To committee on Roads, Bridges and Ferries.

And

Mem. No. 149, A., of Ira Mead and twenty-six others, for a State road from Eau Claire City to the mouth of Hay river, in Dunn county;

To committee on Roads, Bridges and Ferries.

By Mr. Speaker :

STATE TREASURER'S OFFICE,

February 7th, 1860.

To the Legislature :

Section 6, of chapter 67, of the General Laws of 1858, makes it "the duty of the county board of supervisors of each county where the Drainage Fund Income is distributed to make the State Treasurer a full report of the disbursements of said fund before the first day of October, in each year."

The Drainage Fund Income in the State Treasury at the time of the annual distribution of the School Fund Income, was apportioned by the Commissioners of School and University Lands, to the several counties in the State entitled to the same, as provided in section 8, of said chapter 67, of the General Laws of 1858.

From the accompanying statement marked "A," it will be seen that the amount apportioned was \$23,348 66, and that it was distributed in fifty different counties.

The money apportioned has been paid over, or credited on the indebtedness of the counties to the State, in every instance, with the exception of Portage county. This county is largely indebted to the State; and I have proposed to exchange receipts with the County Treasurer, giving the county credit for their apportionment of the Drainage Fund Income on their indebtedness to the State. This exchange of receipts has not yet been made.

Of the forty-nine counties which have received their share of the Drainage Fund Income, but six, to-wit: Wood, Marquette, Outagamie, Sauk, Oconto and Waupaca, have made the report, provided for in section 6, of the law before referred to.

The accompanying paper marked "B," contains copies of the reports received.

Respectfully submitted,
SAM'L D. HASTINGS,
State Treasurer.

"A."

Statement of the Drainage Fund Income paid to the several counties for the year 1859, as apportioned by the Commissioners according to section 8, chapter 67, of the General Laws, A. D. 1858.

Adams,.....	\$471 15
Bad Ax,.....	68 48
Brown,.....	391 30
Buffalo,.....	789 82
Burnett,.....	
Calumet,.....	319 04
Chippewa,.....	107 58
Clark,.....	34 98
Columbia,.....	593 60
Crawford,.....	26 58
Dane,.....	788 49
Dodge,.....	640 30
Doot,.....	585 56
Douglas,.....	
Dunn,.....	116 24
Eau Claire,.....	361 82
Fond du Lac,.....	580 49
Grant,.....	15 07
Green,.....	83 89
Green Lake,.....	317 63
Iowa,.....	51 13
Jackson,.....	284 72
Jefferson,.....	501 84
Juneau,.....	573 76
Kenosha,.....	22 00
Kewaunee,.....	527 08
La Crosse,.....	748 45
La Fayette,.....	
La Pointe,.....	
Manitowoc,.....	946 50
Marathon,.....	191 50
Marquette,.....	1,053 95
Milwaukee,.....	
Monroe,.....	1,025 97
Oconto,.....	1,910 68
Outagamie,.....	1,280 31
Ozaukee,.....	54 48
Pepin,.....	154 29
Pierce,.....	129 51
Polk,.....	96 11
Portage,.....	\$896 12
Racine,.....	
Richland,.....	4 40
Rock,.....	11 00

Statement of the Drainage Fund Income—continued.

St. Croix,.....	\$4 63
Sauk,.....	410 51
Shawano,.....	928 58
Sheboygan,.....	107 68
Trempealeau,.....	352 28
Walworth,.....	124 10
Washington,.....	70 74
Waukesha,.....	94 47
Waupaca,.....	1,731 67
Wausara,.....	1,477 36
Winnebago,.....	810 76
Wood,.....	549 08
Total amount paid,.....	\$22,479 54
Total, including Portage,.....	\$23,348 66

“B.”

To the Honorable State Treasurer, Madison, Wis.:

Agreeable to section 6, chapter 67, General Laws of 1858, the county board of supervisors of Outagamie, hereby make their annual report on the Drainage Fund:

1st. That at the November session, 1858, of said board, they appointed a Drainage Fund Commissioner and made Drainage Fund regulations;

2d. That by general act of Legislature of 1859, chapter 106, the said Fund, for 1859, for this county, was applied to certain roads therein named;

3d. That only a part of said Fund, to wit: \$1,280 31, was distributed to this county in 1859, by said State Treasurer, and that said \$1,280 31 was expended in accordance with said act of Legislature of 1859;

4th. That the annual session of this county board of supervisors, being holden in the month of November, no report could be made to your office before the 1st of October, as required by said section 6, chapter 67, General Laws of 1858.

Respectfully submitted,

W. H. P. ROGAN,

Chairman County Board.

J. F. JOHNSTON,

Clerk Board of Supervisors, Outagamie Co., Wis.

To Hon. S. D. HASTINGS, State Treasurer:

SIR:—At a regular term of the county board of supervisors of the county of Marquette, held on the 11th day of July, 1859, a commissioner was appointed for the purpose of laying out the Drainage Fund, and reported as follows: That the

sums of money hereinafter set forth was duly distributed and laid out by him for the purposes of drainage, to wit :

Buffalo,	\$58 49
Chrystal Lake,	89 66
Harris,	84 91
Douglas,	58 87
Moundville,	65 01
Montello,	84 91
Neshkora,	118 43
Newton,	112 52
Oxford,	88 86
Packwaukee,	29 58
Shields,	197 80
Mecan,	99 06
Westfield,	6 96
Springfield,	3 48
Total,	<u>\$1,048 04</u>

All of which is respectfully submitted.

STATE OF WISCONSIN, }
Marquette County, } ss.

I, John Maxwell, Clerk of the board of supervisors for the county aforesaid, do hereby certify the above statement, as set forth, to be true as the same appears of record in my office.

Witness my hand and official seal at Montello, this 30th
 [L. S.] day of Sept., 1859. J. MAXWELL, Clerk.

To the State Treasurer of the State of Wisconsin :

The undersigned, the board of supervisors of the county of Wood, would respectfully make the following report of the disbursements of the drainage fund apportioned to said county for the year 1859 :

That said fund has been expended in digging a ditch in township No. 22, north of range 3 east, and extending from the east bank of Yellow river, on section 14, in said township, and extending east from said river 682 rods, and effectually draining all the northern portion of said township. And we would further report that there has been expended and laid out upon said ditch, the following items of expenditures, to-wit :

578 days work at \$16 00 per month,	\$355 69
39 .....do.....20 00.....do.....	30 00
8 .....do.....20 00.....do.....	2 80
2 .....do.....1 00 per day,	2 00
6 spades at 18s 4 do 10s,	12 50
6 shovels at 8s 2 do 8s,	8 00
6 spades at 10s, 6 shovels at 9s,	14 25
8 hoes at 5s, 1 stump maching at 20s,	4 88
Commission of Drainage Commissioners,	54 85
622 days board at 4s,	311 00

\$794 97

Of which sum there has been paid out of the Drainage Fund,
 amount of Funds received from State,.....\$548 50
 Balance overpaid by county,.....248 47

Total,.....\$794 97

All of which is respectfully submitted.

JOSEPH WOOD, *Ch'n.*
 OBADIAH GESMAN,
 LYMAN PARKHURST,
 GEO. HILLS,
 Z. P. KIPP,
 N. P. TUTTLE,

Board of Supervisors of Wood County.

Dated, Grand Rapids, Sept. 30, 1859.

STATE OF WISCONSIN, }
 WOOD COUNTY, } ss.

SUPERVISOR'S OFFICE.

The clerk of the board of supervisors of Wood county, Wisconsin, does hereby certify that the foregoing is the report of the supervisors of said county, of the disbursements of the drainage fund apportioned to said county for the year 1859, as made and adopted by them at a meeting of said board, called and held for that purpose, on the 30th day of September, A. D. 1859.

Witness my hand and the seal of said board of supervisors,
 [L. S.] at Grand Rapids, in said county, this 30th day
 of September, A. D. 1859.

L. P. POWERS, *Clerk.*

OFFICE OF CLERK OF BOARD SUPERVISORS,
 WAUPACA, WAUPACA COUNTY, JAN'Y 24, 1860.

HON. S. D. HASTINGS, *State Treasurer:*

DEAR SIR:—From the 6th section, chapter 67, of Session Laws of 1858, I find that it is incumbent upon the board of supervisors to make report to the State Treasurer, of the disbursements of the drainage fund, before the first of October of each year. As my brother, the former clerk, forgot to do so, I will make this report now, hoping that it is not too late.

Whole amount appropriated to Waupaca county from the Drainage Fund Income,.....	\$1,791 67
Withheld by County Treasurer for his per centage,....	\$35 63
Withheld by Drainage Fund Commissioner for his per centage,.....	114 76
	<hr/> 150 39
Balance,	<hr/> \$1,631 28

Which was apportioned to the several towns by the drainage commissioner according to the number of acres of swamp land, as follows:

Town of Dayton,	\$5 24
Farmington,	39 83
Scandinavia,	39 78
Iola,	132 31
Lind,	101 67
Waupaca,	66 03
St Lawrence,	110 11
Weyauwega,	150 74
Royalton,	80 26
Little Wolf,	60 16
Union,	158 02
Caledonia,	175 11
Mukwa,	84 50
Lebanon,	192 79
Bear Creek,	304 80
Total,	<u>\$1,681 30</u>

And I would further report that at the last annual meeting of the county board of supervisors, in November, 1859, Adolph Lorensen was chosen drainage commissioner for the year 1860.

All of which is respectfully submitted.

(Signed,)

M. F. LORENSEN,

Clk. Bd. Supervisors, Waupaca Co., Wis.

Filed in State Treasurer's office, Jan. 28th, 1860.

To the State Treasurer of the State of Wisconsin:

The undersigned would respectfully report that the funds apportioned out of the Drainage Fund to the county of Sauk, according to chapter 67, of the laws of 1858, still remain in the treasury of the county; that said funds were received after the regular meeting of the board of supervisors of said county, and that the same remains there, subject to be disposed of at the next regular meeting of the county board of supervisors.

For the Clerk of the board of supervisors,

J. F. GATTIKEN, *Clerk.*

Baraboo, Sept. 23, 1859.

Report of the county board of supervisors of the county of Oconto, of the disbursement of the Drainage Fund for the year 1859, ending October 1st, 1859. The disbursement of the Drainage Fund is as follows, to wit:

To amount expended on State road leading from Green Bay, Brown county, to Marrinett, under an act of the Legislature of the State of Wisconsin, approved March 17, 1859, is \$1,815 02.

In witness whereof, I have hereunto subscribed my name and affixed the seal of the county board of supervisors, this 30th day of September, A. D. 1859.

JAMES DONLEVY,
[SEAL.] *Clerk of the Board of Supervisors,*
By E. WARD, *Deputy.*

ACCOUNTS,

Presented and referred to committee on Claims :

By Mr. Fairchild:

No. 49, A., the account of C. V. N. Kitteridge;

And,

No. 50, A., the account of Wm. J. Gill;

By Mr. Smith:

No. 51, A., the account of Amasa Cobb, for the expenses of the Adjutant General's office for the year 1859.

RESOLUTIONS CONSIDERED.

Res. No. 63, A.,

Requesting committee on the Judiciary to make certain examinations;

Introduced by Mr. Patchin on the 3d inst.

Was adopted.

Res. No. 64, A.,

Relating to post office hours;

Introduced by Mr. Wheeler on the 3d inst.

Was lost.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Burt:

No. 217, A., a bill for an act to vacate part of village plat of Sacramento, in Green Lake county;

To committee on Incorporations.

By Mr. Elmore:

No. 218, A., a bill for an act to authorize the Superintendents of the Poor in the several counties of this State to grant licenses for the sale of intoxicating drinks;

To committee of the Whole.

By Mr. Miller:

No. 219, A., a bill for an act to annex certain territory to Geneva School District, No. 1;

To committee on Education.

By Mr. Young:

No. 220, A., a bill for an act to vacate the plat of the village of Otterville, in Sauk county;

To committee on Incorporations.

By Mr. Holton:

No. 221, A., a bill for an act to incorporate religious societies;

To committee on Charitable and Religious Societies.

By Mr. Boyd:

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the legislature;

To committee on Incorporations.

By Mr. Bachuber:

No. 223, A., a bill for an act to authorize the State Superintendent to apportion school money to the town of Lomira, in the county of Dodge;

To committee on Education.

By Mr. Beath:

No. 224, A., a bill for an act to legalize the organization of Joint School District, No. 7, of Burke and Blooming Grove;

To committee on the Judiciary.

By Mr. Palmer:

No. 225, A., a bill to authorize the city of Milwaukee to construct certain bridges;

To committee composed of the Milwaukee delegation.

By Mr. Bartlett:

No. 226, A., a bill for an act concerning holidays;

To committee on the Judiciary.

And

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

To committee on Roads, Bridges and Ferries.

By Mr. Bartlett:

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire county, to the mouth of Hay river, in Dunn county;

To committee on Roads, Bridges and Ferries.

By Mr. Hammarquist:

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

To committee on Incorporations.

By Mr. Meigs :

No. 280, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of assessment and collection of taxes ;"

To committee on Education.

And

No. 281, A., a bill for an act to amend chapter 24, of the Revised Statutes, entitled "of the distribution of the income of the school fund ;"

To committee on Education.

By Mr. McMichael :

No. 232, A., a bill for an act to amend section 9, of chapter 109, of title 21, of the Revised Statutes, entitled "of marriages ;"

To committee on Expiration and Re-enactment of Laws.

By Mr. Speaker :

No. 233, A., a bill for an act providing for additional terms of the circuit court for the county of Racine ;

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county ;"

Have had the same under consideration, and instructed me to report the same back to the Assembly without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill

No. 61, S., a bill for an act to amend section 27, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgments in civil actions ;"

Have had the same under consideration and instructed me to report the same back to the Assembly without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

Said bill was ordered to a third reading.

The committee on the Judiciary, to whom was referred bill

No. 49, A., "a bill for an act concerning mortgages to the State on school lands in the city of Racine ;"

No. 48, S., "a bill for an act to amend an act entitled 'an act to prevent the sale of unripe cranberries,' approved March 17th, 1859 ;"

And

No. 45, S., "a bill for an act to amend section 80, of chapter 13, of the Revised Statutes, entitled of counties and county officers;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend their passage as amended.

AMASA COBB, *Ch'n.*

The amendments to bills

Nos. 45 and 48, S.,

Were read and agreed to, and the bills

Ordered to a third reading.

The committee on Internal Improvements, to which was referred bill

No. 77, A., a bill for an act to repeal chapter 330 of the the Private and Local Laws of 1855; entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

Also,

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Morris, Jonathan Bowman and James Christie, and their successors to build and maintain a dam across the Wisconsin river;"

Also,

No. 79, A., a bill for an act to repeal chapter 503, of the Private and Local Laws of 1856, entitled "an act to annul chapter 330, of the Private and Local Laws of 1855;"

Have had the same under consideration, and instructed me to report an amendment to each of said bills, and recommend their passage when so amended.

J. W. BURT, *Ch'n.*

The committee on State Prison, to which was referred memorial

No. 84, A., a petition to restore Levi B. Hanan to citizenship;

And accompanying bill

No. 143, A.,

Have had the same under consideration, and directed me to report said bill and memorial back to the Assembly, with the recommendation that the bill do pass.

WM. W. BLACKMAN, *Ch'n.*

The committee on Medical Colleges and Societies, to which was referred

Mem. No. 64, A., of the American Medical Association;

Have had the same under consideration, and are of the opin-

ion that no farther legislation is necessary upon the subject, and have directed me to report the same back to the Assembly with recommendation that the same be indefinitely postponed.

WM. W. BLACKMAN, *Ch'n.*

The committee on Engrossed Bills, respectfully report that they have examined and compared the following bills, and find them to be correctly engrossed :

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions;"

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

No. 127, A., a bill for an act to reduce the capital stock of the Farmer's & Miller's Bank of Milwaukee;

No. 160, A., a bill for an act to amend section 7, of chapter 183, of the Revised Statutes, entitled "of costs and fees;"

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point;

No. 185, A., a bill for an act to vacate block No. 7, in Cross & Luddington's addition to Milwaukee.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed under Rule 48 :

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns, to build and maintain a dam across the Pecatonica river ;

No. 120, A., a bill for an act to incorporate the Eau Claire manufacturing and booming company ;

No. 183, A., a bill for an act to appropriate to Chauncy Abbott the sum of \$200 ;

No. 171, A., a bill for an act to vacate block 20, of Vliet's addition to the city of Milwaukee ;

No. 179, A., a bill for an act to amend chapter 182, of the Private and Local Laws of 1859 entitled "an act to amend an act entitled 'an act to incorporate the city of Beaver Dam' " ;

No. 184, A., a bill for an act authorizing the Commissioners of School Lands to vacate a certain sale to Ephraim Cole ;

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock ;

No. 198, A., a bill for an act to appropriate to W. E. Cramer the sum of \$93 ;

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50 ;

No. 207, A., a bill for an act to appropriate to Charles H. Luce the sum of \$189 84;

No. 208, A., a bill for an act to appropriate to B. W. Suckow the sum of \$91 65;

And

No. 215, A., a bill for an act to appropriate to William G. Everett the sum of \$157 50.

M. HOWLAND, *Ch'n.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

MADISON, February 6, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have respectively received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to amend an act entitled "an act to incorporate the Milwaukee and Beloit Railroad Company," approved March 27th, 1855;

An act to incorporate the Hanover Street Congregational Society;

An act to amend section 31, of chapter 119, of the Revised Statutes, entitled "general provisions concerning courts of record; of the powers and duties of judges, and of attorneys and officers of court;"

An act to appropriate Benjamin Williams the sum of fifty dollars;

An act to amend sub-division 4, of section 38, of chapter 6, of the Revised Statutes, entitled "of the public printing, and of the publication and distribution of statutes and other public documents;"

An act to reduce the capital stock of the Bank of Oshkosh;

An act to amend sec. 58, of chap. 19, of the Revised Statutes, entitled "of highways and bridges."

An act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to Menomonee, in Dunn county.

An act to amend sec. 33, of chap. 133, of the Revised Statutes, entitled "of costs and fees."

An act to enable foreign executors and administrators to sue in the State of Wisconsin.

An act to extend the time for the payment and collection of the corporation taxes in the village of Oconto.

An act to appropriate to Church & Hawley, the sum of \$2,985 00.

ALEX. W. RANDALL.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

J. Res. No. 16, A.,

To inquire into the condition of the State University.

No. 137, A., a bill for an act to authorize towns to assess and collect additional school moneys in certain cases, and the town clerk to certify thereto.

No. 147, A., a bill for an act to appropriate to R. T. Lawton, the sum of \$162.

No. 205, A., a bill to amend chap. 274, of the General and Special Statutes of 1850, entitled "an act granting to James B. Miller, the right to keep and maintain a ferry across the Wisconsin river at Dekorra, in the county of Columbia.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital.

No. 83, S., a bill for an act to permit the Bank of Oconto to reduce its capital stock.

Said bills Nos. 82 and 83, S.,

Were read first and second times, and

Placed on the general file.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 41, S., a bill for an act to amend chapter 71, of the Private and Local Laws of 1856, entitled "an act granting to William Millard the right to keep and maintain a ferry across the Wisconsin river in the town of Prairie du Sac, Sauk county, and Black Earth, Dane county;"

No. 45, S., a bill for an act to amend section 80 of chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859;

No. 80, S., a bill for an act to authorize the Wisconsin Bank of Madison to reduce its capital;

No. 43, S., a bill for an act to appropriate to Hiram Bowen the sum of \$50 ;

The ayes and noes being required,
The bill was passed by the following vote :
Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bouck, Bow, Boyd, Bovay, Bugh, Burt, Barnum, Child, Clise, Cobb, Cole, Coles, Dickson, DeWolf, Dockry, Fairchild, Fischer, Goodwin, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Keogh, Kingsbury, McMichael, McKay, Meigs, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—81.

Mr. Horn voted in the negative.

No. 79, S., a bill for an act to appropriate to W. P. Towers the sum of \$490 02 ;

The ayes and noes being required,
The bill was passed by the following vote :
Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bouck, Bow, Boyd, Bovay, Bugh, Burt, Barnum, Child, Clise, Cobb, Cole, Coles, Dickson, DeWolf, Dockry, Fairchild, Fischer, Goodwin, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Keogh, Kingsbury, McMichael, McKay, Meigs, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—81.

Mr. Horn voted in the negative.

SPECIAL ORDER.

On motion of Mr. Stannard,
Res. No's. 59, 60, 61, and 62, A.,

Relating to the contested seat, which was made the special order for to-day at 11 o'clock, A. M.,

Was postponed, and made the special order for next Tuesday, at 11 o'clock, A. M.;

BILLS ON THEIR THIRD READING.

No. 61, S., a bill to amend section 27, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

Was read a third time and concurred in, by the following vote:

Those who voted in the affirmative were,

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Bouck, Bovay, Bow, Boyd, Brooks, Child, Clise, Cole, Coles, DeWolf, Dickson, Dockry, Fischer, Golden, Goodwin, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, Horn, Humann, Hunkins, Johnson, Judd, Kingsbury, Langland, Meigs, Mitchell, Moore, Nash, Neville, Ordway, Palmer, Patchin, Schmidtner, Simpson, Smith, Townsend, Weage, Whiting, and Wood—51.

Those who voted in the negative were,

Messrs. Beath, Blackman, Bugh, Burt, Cobb, Elmore, Fairchild, Griffin, Hayden, Horton, Howland, Jackson, Keogh, Kiefer, Lewis, McMichael, Miller, Munn, Robertson, Ruan, Seaton, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Westby, Westcott, Wheeler, Whittlesey, Young, and Mr. Speaker—83.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns, to build and maintain a dam across the Pecatonica river;

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions;"

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

No. 127, A., a bill for an act to reduce the capital stock of the Farmer's and Miller's Bank, of Milwaukee;

No. 160, A., a bill for an act to amend section 7, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

No. 171, A., a bill for an act to vacate block 20, of Vliet's addition to the city of Milwaukee;

No. 176, A., a bill for an act to authorize the State Super-

intendent of Public Instruction to apportion certain school money to the city of Mineral Point;

No. 184, A., a bill for an act authorizing the commissioners of school lands to vacate a certain sale to Ephraim Cole;

No. 185, A., a bill for an act to vacate block No. 7, in Cross and Ludington's addition to Milwaukee;

No. 179, A., a bill for an act to amend chapter 132, of the Private and Local Laws of 1859, entitled "an act to amend an act entitled an act to incorporate the city of Beaver Dam;"

And

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock.

No. 133, A., a bill for an act to appropriate to Chauncy Abbott the sum of \$200;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Whittlesey, Whiting, Wood and Young—79.

Those who voted in the negative, were

Messrs. Horn and Neville—2.

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sut-

ton, Townsend, Upson, VanderCook, Weage, Westby, Whittlesey, Whiting, Wood and Young—79.

Those who voted in the negative, were

Messrs. Horn and Neville—2.

No. 215, A., a bill for an act to appropriate to William G. Everitt the sum of \$157 50;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Whittlesey, Whiting, Wood and Young—79.

Those who voted in the negative were

Messrs. Horn and Neville—2.

No. 198, A., a bill for an act to appropriate to W. E. Cramer, the sum of \$93;

The ayes and noes being required,

The bill was lost by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Bettis, Bouck, Clise, Cole, Fairchild, Fischer, Green, Grover, Hesk, Holton, Horn, Horton, Hunkins, Judd, Keogh, Neville, Palmer, Schmidtner, Simpson, Smith, Sutton, Townsend, Weage and Whittlesey—26.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Cobb, Coles, DeWolf, Dickson, Dockry, Elmore, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Howland, Humann, Jackson, Johnson, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Nash, Ordway, Patchin, Rankin, Robertson, Seaton, Spottswood, Stannard, Sumner, Upson, VanderCook, Westby, Wescott, Wheeler, Whiting, Wood and Young—59.

Mr. Elmore moved to reconsider the vote by which

No. 198, A.,

Was passed.

No. 207, A., a bill for an act to appropriate to Charles H. Luce, the sum of \$189 84.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, and Young—85.

Mr. Townsend voted in the negative.

No. 208, A. bill for an act to appropriate to B. W. Suckow, the sum of \$91 65;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were,

Messrs. Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hayden, Hesk, Holton, Horton, Hunkins, Johnson, Judd, Kingsbury, Langland, Lewis, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Patchin, Robertson, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—68.

Those who voted in the negative were,

Messrs. Altenhofen, Bachuber, Baldwin, Elmore, Green, Hartung, Horn, Howland, Humann, Jackson, Keogh, Kiefer, Mackay, Neville, Rankin, Schmidtner, and Upson—17.

BILLS REPORTED

By committee of the Whole:

No. 71, A., a bill for an act relating to executions on final judgment;

On motion of Mr. Elmore,

Was postponed until the 16th inst.

On motion of Mr. Cobb,
No. 84, S., a bill for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane ;

Was taken from the general file,
And returned to the Senate for engrossment.

REPORT.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled :

No. 155, A., an act to appropriate to Simon Sekles the sum of \$133.

No. 209, A., an act to provide for holding the first term of the circuit court of the county of Iowa, for the year 1860.

No. 186, A., an act to authorize the levying and collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Randolph, being in the town of Fox Lake.

ALBERT WOOD, of *Assem. Com.*

Said bills were signed by the Speaker, and
Sent to the Senate.

On motion of Mr. Bouck,
The Assembly resolved itself into the

COMMITTEE OF THE WHOLE

On the general file of bills,
Mr. Bovay in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills, with the several recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company of the city of Madison," approved March 19, 1859 ;

With an amendment.

No. 33, A., a bill for an act to lay out a State road from Eau Plain to Eau Claire ;

No. 48, A., a bill for an act relating to the fire departments in the cities and villages of this State ; and to amend chapter 190, of the General Laws of 1859, entitled "an act to regulate insurance companies not incorporated by the State of Wisconsin ;"

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse ;

And

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county ;

Without amendment.

No. 167, A., a bill for an act entitled "an act to amend section 6, of chapter 134, of the Revised Statutes, entitled 'of executions and proceedings supplementary thereto ;'"

With recommendation that the enacting clause be stricken out.

No. 154, A., a bill for an act to amend an act entitled "an act to incorporate the city of Madison ;"

With recommendation that it be referred to the delegation from the city of Madison.

On motion of Mr. Ordway,

The Assembly adjourned.

THURSDAY, FEBRUARY 9, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Peck officiated as chaplain.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

The Speaker announced as the select committee to whom was referred that portion of the Governor's Message relating to the rate of interest,

Messrs. Blackman, Wheeler, Bovay, Hunkins and Townsend.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Elmore:

Mem. No. 150, A., of Francis D. Weld, of Milwaukee county, concerning the law relating to opening highways;

To committee on the Judiciary.

By Mr. Elmore:

Mem. No. 151, A., of N. S. Rendrick and 48 other citizens of the towns of Genesee and Waukesha, in said county, for the passage of a law to allow them to procure gravel to improve a highway;

To a committee composed of the Waukesha delegation.

By Mr. Whittlesey:

M. C. No. 3, A., memorial to the Post Master General of the United States, for re-instatement of weekly mail service on mail route 13,088, from Bayfield, in La Pointe county, to Chippewa Falls, in the county of Chippewa;

Which was read first and second times, and

Referred to the committee on State Affairs.

By Mr. Nash:

Mem. No. 152, A., of Chas. Billinghamurst, O. S. Phelps and others, to change the place of holding the special terms of the circuit court, of the county of Dodge;

To committee on the Judiciary.

By Mr. Ordway:

Mem. No. 153, A., of A. H. Edwards, Eli Botsford and others, to attach certain territory to school district No. 5, in the town of Beaver Dam;

To committee on the Judiciary.

By Mr. Mackay:

Mem. No. 154, A., of S. S. Reed and one hundred others, for removal of the county seat of LaFayette county;

To committee on Town and County Organization.

By Mr. Coles:

Mem. No. 155, A., of J. S. Buck and sixty others, to attach a part of the city of Appleton to the town of Grand Chute;

To committee on Town and County Organization.

ACCOUNTS,

Presented and referred.

By Mr. Fairchild:

No. 52, A., the acct. of Church & Hawley;

And

No. 53, A., the acct. of Edmund Gibbs.

Mr. Holton re-introduced,

No. 40, A., the acct. of Berliner & Bruno.

RESOLUTIONS INTRODUCED.

By Mr. Elmore :

J. Res. No. 17, A.,

Whereas, Over two thousand copies of "Town Laws of Wisconsin" are now on hand and in the possession of the Secretary of State ; and

Whereas, The alterations made in the Revised Statutes are rendering said laws of less value daily ; therefore,

Resolved, by the Assembly, the Senate concurring, That twelve copies of the said Town Laws be delivered to each Senator and member of the Assembly for distribution ;

On motion of Mr. Elmore,

The rules were suspended, and

The resolution adopted.

By Mr. Young :

Res. No. 65, A.,

Resolved. That the Superintendent of Public Property be, and hereby is directed to furnish each member of the Assembly with six dollars worth of postage stamps, three dollars thereof in three cent, and three dollars thereof in one cent stamps ;

Which lies over.

By Mr. Weage:

J. Res. No. 18, A.;

Resolved, by the Assembly, the Senate concurring, That this Legislature will adjourn *sine die*, on Tuesday the 28th day of this month, at 10 o'clock A. M., and that this Legislature will receive no new business after the 21st day of this month;

Which lies over.

By Mr. Fairchild:

Res. No. 66, A.;

Resolved, That the use of this Hall, be given to the State Historical Society, on Friday evening next, on which occasion the annual address will be delivered, and the Sergeant-at-Arms is directed to arrange seats for the accommodation of the members and friends of this society;

Which the Speaker stated to be of a privileged character, not requiring a suspension of the rules;

Mr. Elmore moved to amend by striking out all after the word "delivered;"

Which was agreed to.

And the resolution as amended was adopted.

By Mr. Ordway :

Res. 67, A.,

Resolved, That the committee on Education, School and University Lands be required to ascertain and report to this House, how much school, university and swamp lands have been forfeited after sale to the State ; how much money has been received upon the sale of such lands, and how much the State has paid, and become liable to pay, to the counties in which such lands lie, for taxes assessed upon such forfeited lands ; and what further legislation, in their opinion, is necessary to protect the school fund from the payment of taxes levied upon such forfeited lands after the sale and before their forfeiture ;

Which lies over.

By Mr. Elmore :

Res. No. 68, A.,

Resolved, That the Secretary of State be and he hereby is requested to communicate to this House the cost of printing of reports of State Historical Society since its incorporation, and specifying the amount for each year ;

Which lies over.

By Mr. Horn :

Res. No. 69, A.,

Resolved, That the Governor of the State be requested to communicate to the Legislature whether or not S. W. Smith, of Manitowoc, has received any appointment from him, or from the School Commissioners ; and if so, the nature of that appointment, with the powers and duties appertaining thereto ; what is the compensation allowed the said Smith, and whether he has authority to purchase goods at the expense of the State, and at his own discretion ; and whether any similar appointments have been given to others, with similar authority to purchase goods for the State, and if so, how many, and to whom ; and further, from what fund are the expenses to be defrayed ?

Mr. Horn moved that the rules be suspended for the purpose of considering said resolution ;

Which was not agreed to ;

And said resolution lies over.

Leave of absence was granted to Messrs. Mulholland and McKay until Monday next.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred ;.

By Mr. Griswold :

No. 284, A., a bill for an act in relation to costs on appeals from the board of supervisors;

To committee on the Judiciary.

By Mr. Barnum :

No. 285, A., a bill for an act to amend an act, entitled "an act to amend an act to incorporate the village of Omro ;"

To committee on Incorporation.

By Mr. Kiefer :

No. 286, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

To committee on the Judiciary.

By Mr. Coles :

No. 287, A., a bill to annex a part of the city of Appleton to the town of Grand Chute ;

To committee on Town and County Organization.

By Mr. Weage :

No. 288, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists ;

To committee on Ways and Means.

By Mr. Bartlett :

No. 289, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

To committee on the Judiciary.

By Mr. Fairchild :

No. 240, A., a bill to provide for continuing the work upon the State capitol ;

To committee on Ways and Means.

By Mr. Chase :

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan bridge company ;

To committee on Incorporations.

By Mr. Hayden :

No. 242, A., a bill for an act authorizing the city of Milwaukee to construct, maintain and operate horse railroads ;

To a committee composed of the Milwaukee delegation.

By Mr. Speaker :

No. 243, A., a bill for an act to extend the time for the payment of State and county taxes in the city of Racine, for the year 1859 ;

On motion of Mr. Speaker,
The rules were suspended, and
No. 243, A.,
Was read a third time and passed,
And the title agreed to.

On leave, Mr. Judd introduced
J. Res. No. 19, A.,

Resolved, by the Assembly, the Senate concurring, That
Assembly bill No. 186, now in the hands of the joint committee on Enrolled Bills, be withheld from presentation to the Governor for his signature, on account of a clerical error in said bill, and that the Chief Clerk of the Assembly be directed to amend the bill by striking out the word "Randolph" wherever it occurs in the bill and in its title, and inserting the word "Courtland" in its place, and that the bill be re-enrolled ;

On motion of Mr. Judd,
The rules were suspended, and
The resolution adopted.

REPORTS OF COMMITTEES.

The committee on Incorporation, to which was referred the following bills :

No. 200, A., a bill for an act to repeal an act entitled an act to amend chapter 59, of the Local Laws of 1855, entitled an act to incorporate the Beloit Gas Light and Coke Company ;

No. 194, A., a bill for an act to incorporate the Fountain City Social Gymnastic Association ;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo ;"

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society, of the city of Milwaukee ;

Have had the same under consideration, and have instructed me to report them severally back without amendment, and recommend their passage.

The committee have also had under consideration

No. 188, A., a bill to repeal chapter 324, of the Private and Local Laws of 1856, entitled an act to incorporate the village of Lancaster ;

With

Memorials Nos. 34 and 35, accompanying the same ;

And find that, by sections 73, 74, 75, 76, 77 and 78, of chapter 71, of the Revised Statutes of 1858, the people of said village of Lancaster have full control over the subject matter presented by said bill and memorials, and can accomplish the purposes

sought to be attained by this bill, in a much more complete and satisfactory manner by pursuing the provisions of law above referred to, than could be done by any legislative act.

The committee have, therefore, instructed me to report the said bill and memorials back, with recommendation that they be indefinitely postponed.

ROMANZO BUNN, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend their passage:

No. 180, A., a bill for an act to amend section one of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sales of forfeited lands;"

No. 187, A., a bill for an act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18, 1856;

No. 199, A., a bill for an act to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed of the proof and recording of conveyances, and the cancelling of mortgages;"

No. 210, A., a bill for an act prescribing the mode of sales on judgments or orders of court in certain cases;

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

No. 25, S., a bill to repeal chapter 114, General Laws of 1859, conferring civil jurisdiction on county court of Crawford county.

AMASA COBB, *Ch'n.*

Said bill

No. 25, S.,

Was ordered to a third reading.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly, and recommend that the enacting clauses thereof be respectively stricken out:

No. 196, A., a bill to amend section 2, chapter 168, of the Revised Statutes, entitled "of crimes and the punishment thereof, and of proceedings in criminal cases;"

No. 226, A., a bill for an act concerning holidays.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration and in-

structed me to report the same back to the Assembly with amendments, and that the same do pass as amended:

No. 177, A., a bill for an act to amend section 8, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

No. 182, A., a bill for an act relating to proceedings in probate courts.

AMASA COBB, *Ch'n.*

The committee on State Prison to whom was referred

Mem. No. 80, A., of the residents of the village of Waupun to have William Gruno restored to citizenship;

And

No. 138, A., a bill for an act to restore William Gruno to citizenship;

Have had the same under consideration, and directed me to report them back to the Assembly with the recommendation that said bill do pass.

WM. W. BLACKMAN,
C. MILLER,
FRED. W. HORN.

The committee on Town and County Organization to whom was referred

No. 66, A., a bill for an act to divide the town of Wheatland and create the town of Randall, in the county of Kenosha;

Also

Mems. Nos. 3, 31, and 32, A., in favor of such division; and remonstrance

No. 36, A., against the division of the town of Wheatland and creating the town of Randall;

Have had the whole matter under consideration, and have heard reasons for and against the division of said town of Wheatland from residents of said town. The committee are still of the opinion that it is a proper matter for the action of the supervisors of Kenosha county, and as the whole matter has been once before submitted to this committee and also to the delegation from said county of Kenosha, and referred again to this committee, your committee are of the opinion that there may be some just cause for complaint under the present organization of the town of Wheatland. Your committee report the same back to the House with the substitute recommended by the delegation of Kenosha county for the further action of the House, without recommendation.

J. P. DICKSON,
WM. C. McMICHAEL,
A. GREEN,
E. SIMPSON,
J. S. BUGH.

The committee on Claims, to whom were referred accounts
No. 33, A., the account of A. Burnham for conveying convicts to State Prison ;

No. 43, A., the account of John F. Lessey, for conveying convicts to State Prison ;

No. 44, A., the account of George Paine, for merchandise ;

No. 45, A., the account of Wright & Paine, for merchandise ;

No. 46, A., the account of D. R. Clements, for conveying convicts to State Prison ;

No. 49, A., the account of C. V. N. Kettridge, for merchandise ;

No. 50, A., the account of Wm. J. Gill, for ice ;

No. 92, A., the account of Thomas B. Lacey, for relief from double license fee ;

Have had the same under consideration, and report them back by bills :

No. 244, A., a bill for an act to appropriate to A. Burnham the sum of \$18 ;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39 ;

No. 246, A., a bill for an act to appropriate to George Paine the sum of \$136 67 ;

No. 247, A., a bill for an act to appropriate to Wright & Paine the sum of \$44 63 ;

No. 248, A., a bill for an act to appropriate to D. R. Clements the sum of \$41 ;

No. 249, A., a bill for an act to appropriate to C. V. N. Kittridge the sum of \$188 61 ;

No. 250, A., a bill for an act to appropriate to Wm. J. Gill the sum of \$30 ;

No. 251, A., a bill for an act to appropriate to Thomas B. Lacey the sum of \$87 68 ;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

Said bills were read first and second times, and placed on the general file.

The committee on claims, have also had the following accounts under consideration :

No. 12, A., the account of Orton & Bryant for services in the cases of the State ex. rel. Merrill & Webb ;

And would report it back with the recommendation that it be referred to the Judiciary committee.

No. 30, A., the account of J. H. Hitchcock for camp equipage furnished the State in 1855 ;

And would recommend that it be referred to the committee on the Judiciary.

No. 42, A., the account of Milo Coles for contesting the seat of Daniel E. Jenne ;

And would recommend that the owner have leave to withdraw for correction.

No. 51, A., the account of Amasa Cobb for disbursements as Adjutant General, for the year 1859 ;

And would recommend that he have leave to withdraw the account, as it is a proper subject for the Secretary of State to act upon.

HEBER SMITH, *Ch'n.*

Accounts Nos. 12 and 30, A.,

Were referred to the Judiciary committee.

Leave to withdraw accounts

Nos. 42 and 51, A.,

Was granted.

The joint committee on Enrolled Bills report that on the 9th inst., they presented to the Governor for his approval the following bills, viz:

No. 209, A., a bill for an act to provide for holding the first term of the circuit court of the county of Iowa, for the year 1860;

And

No. 185, A., a bill for an act to appropriate to Simon Seckles the sum of \$183.

GEORGE BENNETT, *of Sen. com.*

C. MILLER, *of Assem. com.*

The committee on Enrolled bills report that they have examined and compared the following bills and find the same correctly enrolled :

No. 90, A., an act to provide for the re-assessment of certain taxes in the city of Racine for the years 1856 to 1859, inclusive.

No. 191, A., an act to extend the time for the collection of taxes in the city of Madison.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Education, School and University Lands, to whom was referred

No. 233, A., a bill for an act to authorize the State Superintendent to apportion school money to the town of Lomira, in the county of Dodge ;

Have had the same under consideration, and find, upon con-

ference with the Superintendent of Public Instruction, that he is already clothed with power to supply the remedy sought by this bill, and therefore, I am instructed to report the same back, with the recommendation that the enacting clause be stricken out.

E. D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

No. 141, A., a bill for an act to locate and establish school house sites;

Have had the same under consideration, and herewith report it back with an amendment, and when so amended its passage is respectfully recommended by the committee.

EDWARD D. HOLTON, *Ch'n.*

The amendment was disagreed to, and

On motion of Mr. Lyon,

Said bill was referred to the committee on the Judiciary.

To the Honorable, the Assembly of the State of Wisconsin:

The undersigned, a special committee, to whom was referred

No. 152, A., being a bill for an act to amend chapter 151, of Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels;"

Respectfully reports that he has had such bill under consideration, and recommends that such bill be indefinitely postponed, and that the bill accompanying this report be substituted instead thereof.

GEO. B. GOODWIN, *Special Com.*

Said bill No. 152, A.,

Was indefinitely postponed.

And said substitute bill, being

No. 252, A., a bill for an act to amend chapter 151, of Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of Revised Statutes ;"

Was read first and second times, and

Referred to the Judiciary committee.

The committee on Internal Improvements to whom was referred

Mem. No. 125, A., a memorial from Geo. B. Edmonds and others, for the improvement of the navigation of Wolf river ;

Have had the same under consideration, and have instructed me to report that the further consideration of said memorial be indefinitely postponed.

J. W. BURT, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$427 53 ;

No. 148, A., a bill for an act to appropriate to Donaldson and Treadway the sum of \$172 50;

I am further directed to inform you that the Senate has indefinitely postponed

No. 3, A., A bill for an act to authorize the Sauk City Bank and the Wisconsin Bank of Madison to reduce their capital;

No. 9, A., a bill for an act to authorize the Green Bay Bank to reduce its capital and remove its place of business;

No. 10, A., a bill to authorize the Forest City Bank and the Bank of Shawanaw to reduce their capital,

No. 72, A., a bill to authorize the Bank of Columbus to reduce its capital stock;

No. 21, A., a bill for an act to amend section 217, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace."

I am further directed to present to you for signature,

No. 79, S., a bill for an act to appropriate to W. P. Towers the sum of \$496 02.

No. 104, S., an act to prescribe the time for holding the terms of the circuit court in La Fayette county, in the fifth judicial circuit.

No. 112, S., a bill for an act to authorize the Shawanaw Bank to reduce its capital stock.

Also to inform you that the Senate has concurred in the passage of

No. 84, A., a bill for an act to limit the liability of counties in certain cases.

Nos. 79, 104, and 112, S.,

Were signed by the Speaker.

Mr. Boyd moved to reconsider the vote by which the Assembly concurred in

No. 61, S. a bill to amend section 27, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions."

BILLS REPORTED

By committee of the Whole :

No. 24, A., a bill for an act to repeal sections 51, 52, 53, 54, 56, 55, 57, 58, 59, 60 and 61, of chapter 158, of the Revised Statutes, entitled "of the writ of habeas corpus relative to fugitive slaves ;"

Pending which,

On motion of Mr. Bartlett,

The Assembly adjourned.

FRIDAY, FEBRUARY 10th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

On motion of Mr. Green,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Mackay:

Mem. No. 156, A., remonstrance of James S. Murphy and 97 other legal voters of Lafayette county, against removal of the county seat;

To committee on Town and County Organization.

By Mr. Jackson:

Mem. No. 157, A., of Caleb Wagoner, A. P. Powers, and 230 others, citizens of Richland county, asking the abolition of the present system of county government, and asking the adoption of the commissioner system;

To select committee under Res. No. 41, A.

By Mr. Palmer:

Mem. No. 158, A., remonstrance of Messrs. Ryan & Jenkins and other lawyers of Milwaukee, against the passage of the bill to increase the jurisdiction of the county court of Milwaukee county;

To a committee composed of the Milwaukee delegation.

By Mr. Mitchell:

Mem. C., No. 4, A., memorial to Congress for a grant of land to the State of Iowa, to aid in the construction of the McGregor, St. Peter and Missouri railroad company;

To committee on State Lands.

By Mr. Judd:

Mem. 159, A., of Seymour Wilcox praying for compensation for land conveyed to the State for the State Prison;

To committee on Claims.

ACCOUNTS,

Presented and referred to committee on Claims:

By Mr. Fairchild:

No. 54, the account of Edmund Gibbs;

And

No. 55, the account of D. C. Poole;

By Mr. Sumner:

No. 56, the account of E. Martin.

RESOLUTIONS INTRODUCED.

By Mr. Judd:

J. Res. No. 20, A.,

Resolved, by the Assembly, the Senate concurring, That in the judgment of this Legislature that the time has come when the great question of the extension or the restriction of slavery, compelling as it has for a long period, the attention of the Congress, the State Legislatures and the people generally, should be dispassionately examined and settled if possible upon such a basis as will restore quiet to the country, by doing justice to all interests involved.

That, while declaring it as our deliberate conviction that the institution of slavery is incompatible with the best interests of our common country, (since, besides its operation upon its immediate subjects, depriving them of all aspirations of independent manhood in this world, and in innumerable instances, depriving them of all knowledge of a world to come, its existence and incidents are corrupting to the people among whom its ex-

ists, tend to the impoverishment of the soil which it covers, are adverse to the interests of free labor and degrading to the poor whites, and are the cause of bitter feuds among people who should be bound together by the closest ties of brotherhood,) we yet propose no interference by congressional legislation with the institution in the States where it exists by law; and above all we repudiate and denounce all attempts by violence or force to interfere therein.

That we believe it to be the plain duty of all men who love their country, and regard its peace and prosperity, to endeavor by all proper means to convince our brethren among whom an institution fraught with such and so many evils is planted, that it will be for their best interests to consent to restore it to the position which it held at the date of the adoption of the Federal Constitution, and down to a comparatively recent period of our history, viz: to the position of an institution tolerated till it could be quietly and peaceably abolished with the consent of those whose interests were immediately involved.

That in considering the means by which so desirable an end can be attained, we believe that the acquirement by treaty or purchase, of rights of colonization and protection of the colonists, upon some neighboring tropical soil, whither the colored population now free, and those hereafter to become free, may repair and erect for themselves free homes, is a clear duty of Congress; and that it is only by such provision for the colonization of free blacks, in a climate and on a soil favorable to their development as free men, and where the millions of colored persons which we hope to see hereafter freed in the gradual, peaceful extinction of slavery in the United States, may find homes suitable to their wants and comforts, thus giving room for a virtuous, free and independent white population, that may reasonably hope to see a sound beginning made in the settlement of this all absorbing question.

That our Senators in Congress be instructed, and our Representatives requested, to use all reasonable and proper efforts to bring about such action of the constituted authorities of the nation, as will tend to carry into effect the substance and spirit of these resolutions:

That these resolutions be forwarded by the Governor of this State, to each of our Senators and Representatives, to be laid before Congress; to the President of the United States; and to the Governor of each of the other States of the Union; in the hope that the sentiments herein expressed may be received in the spirit which dictates them, a spirit of kindness and brotherhood towards all the citizens of our common country, and a sin-

cere desire to aid, to the utmost of our power, in cementing more closely; the Union of the States of the great republic.

During the reading of said resolution, Mr. Elmore rose to a point of order—

“That no resolution can be introduced, by common consent, until its contents are known.”

Which the Speaker decided to be not well taken.

Mr. Elmore appealed from the decision of the chair.

But subsequently withdrew his appeal,

And said resolution was referred to the committee on Federal Relations.

RESOLUTIONS CONSIDERED.

J. Res. No., 18, A.,

Relative to final adjournment;

Introduced by Mr. Weage yesterday;

Was laid on the table.

Res. No. 68, A.,

Calling upon the Secretary of State for information;

Introduced by Mr. Elmore yesterday;

Mr. Elmore moved to amend as follows:

Strike out all after the word “Resolved,” and insert “that the Secretary of State, be and he hereby is requested to communicate to the Assembly the amount paid during the years 1858 and 1859, for the printing of the Governor’s Message and accompanying documents; the reports of the Secretary of State, State Treasurer, and all other reports required by law to be printed, specifying, for each year, the cost of printing each such report in the English or any other language, in which said messages, documents or reports have been printed or either of them separately; and also, the amounts paid for printing the reports of the State Historical Society, since its incorporation, specifying the amounts for each year;”

Which was agreed to,

And the resolution as amended was adopted.

Res. No. 69, A.,

Calling upon the Governor for certain information;

Introduced by Mr. Horn yesterday,

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Bouck:

No. 253, A., a bill for an act to amend chapter 18, of the

Revised Statutes, entitled, "of the assessment and collection of taxes ;"

To select committee under Res. No. 22, A.

Also,

No. 254, A., a bill for an act to authorize Anson Bangs, his associates, successors and assigns, to erect a dam across the Menomonee river, in Oconto county;

To committee on Roads, Bridges and Ferries.

By Mr. Blackman:

No. 255, A., a bill for an act to amend section 5, of chapter 187, of the Revised Statutes, entitled "of judgments in criminal cases, and the execution thereof ;"

To committee on State Prison.

By Mr. Coles:

No. 256, A., a bill for an act relating to repairs of plank roads in the county of Outagamie ;

To committee on Roads, Bridges and Ferries.

By Mr. Elmore:

No. 257, A., a bill for an act to remit certain penalties imposed by sections 62 and 117, of chapter 28, of the Revised Statutes, entitled "of the school and university lands ;"

To committee on Education.

By Mr. Meigs:

No. 258, A., a bill for an act to appropriate to the officers and employees of the Assembly of 1860, a certain sum of money ;

To committee on Claims.

By Mr. Neville:

No. 259, A., a bill for an act to incorporate the Fort Howard and Appleton Railroad Company ;

To committee on Railroads.

REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred

Mem. No. 153, A., the petition of A. H. Edwards, Eli Botsford and others, to attach certain territory to school district No. 5, in the town of Beaver Dam ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly by bill, and recommend the passage of the bill.

AMASA COBB, *Ch'n.*

Said bill being

No. 260, A., a bill for an act to attach certain territory now included in school district of the city of Beaver Dam, and to

attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county ;

Was read first and second times, and

Referred to the Committee of the Whole.

The committee on the Judiciary to whom was referred

Mem. No. 73, A., memorial of the board of supervisors for the repeal of chapter 124, of the laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county ;"

Mem. No. 74, A., petition of citizens of Columbia county for the repeal of chap. 124, of the laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county ;"

No. 158, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county ;"

And

Mem. No. 85, A., petition of members of the bar, county officers, and others, of Columbia county, praying that the act approved May 17th, 1858, entitled "an act conferring jurisdiction on the county court of Columbia county may not be repealed, but amended ;"

Have had the same under consideration, and instructed me to report the same back to the Assembly and recommend that the whole matter be referred to a select committee to consist of the delegation from Columbia county.

AMASA COBB, *Ch'n.*

The said bills and memorials were

Referred to the delegation from Columbia county.

The committee on the Judiciary, to whom was referred

No. 234, A., a bill for an act in relation to costs on appeals from the boards of supervisors ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage as amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 239, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred Mem. No. 15, S., a "petition of Charles Billingham, and others, to change the place of holding the special terms of the circuit court of the county of Dodge ;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly by bill, and recommend the passage of the bill.

AMASA COBB, *Ch'n.*

Said bill being

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the Third Judicial Circuit to hold special terms of the circuit court ;"

Was read first and second times, and ordered on the general file.

The committee on Contingent Expenses, to whom was referred

Bill No. 132, A., a bill for an act to repeal chapter 115, of the laws of 1859, entitled "an act to prohibit the selling of intoxicating drinks on Sunday, and certain other days therein mentioned ;"

Have had the same under consideration, and instruct me to report it back to the Assembly, with the recommendation that it be indefinitely postponed.

E. W. YOUNG, *Ch'n.*

The committee on Contingent Expenses, to whom was referred

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State ;"

Have had the same under consideration, and instruct me to report it back to the Assembly with recommendation that it do pass.

E. W. YOUNG, *Ch'n.*

The committee on Banks and Banking, to whom was referred

No. 111, A., a bill for an act to reduce the capital stock of the Bank of Manitowoc ;

Have had the same under consideration, and have instructed me to report the same to the Assembly with a substitute, and recommend the passage of the substitute.

W. M. GRISWOLD, *Ch'n.*

On motion of Mr. Griswold,

The rules were suspended ;
The substitute adopted ; and the bill, as so amended, was read a third time and passed.

The committee on the Judiciary, to whom was referred

No. 252, A., a bill for an act to amend chapter one hundred and fifty-one, (151), of the Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of Revised Statutes;"

Have had the same under consideration, and a majority of the committee, (Messrs. Cobb and Bartlett dissenting), instruct me to report the same back to the Assembly and recommend that the enacting clause thereof be stricken out.

G. BOUCK,
H. L. PALMER,
D. S. ORDWAY.

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bill, and find it correctly engrossed:

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawanaw county.

M. HOWLAND, *Ch'n.*

The select committee consisting of the delegation from Dodge county, to whom was referred,

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge, to retain license moneys in their town, city and village treasuries;

Report the same back to the House without amendment, and recommend that the same do pass.

HARVEY C. GRIFFIN, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Bill No. 44, S., for an act to repeal chapter 210, of the General Laws of 1859, entitled an act to provide a permanent township school library fund ;

Have had the same under consideration, and direct me to report the same back, with the recommendation that the enacting clause be stricken out.

E. D. HOLTON, *Ch'n.*

The joint committee on Enrolled Bills report that, on the 10th inst., they presented to the Governor for his approval, the following bills, viz :

Bill No. 79, S., for an act to appropriate to W. P. Towers the sum of \$496 02 ;

Bill No. 104, S., for an act to prescribe the time for holding the terms of the circuit court in La Fayette county, in the Fifth Judicial Circuit ;

Bill No. 112, S., for an act to authorize the Shawanaw Bank to reduce its capital;

Bill No. 191, A., for an act to extend the time for the collection of taxes in the city of Madison;

Bill No. 90, A., for an act to provide for the assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled:

No. 187, A., an act to authorize towns to assess and collect addition school moneys in certain cases, and town clerk to certify thereto.

No. 147, A., an act to appropriate to R. T. Lawton, the sum of \$162.

No. 84, A., an act to limit the liability of counties in certain cases.

No. 146, A., an act to appropriate to Bliss, Eberhard and Festner, the sum of \$427 50.

No. 148, A., an act to appropriate to Donaldson & Treadway the sum of \$172 50.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

On motion of Mr. Hayden,

The select committee, consisting of the delegation from Milwaukee city was requested to report back to the House

No. 242, A., a bill for an act authorizing the city of Milwaukee to construct, maintain and operate horse railroads;

Whereupon, on leave,

Mr. Schmidtner made the following

REPORT :

The select committee consisting of the delegation from Milwaukee, in conformity to the vote of the Assembly, requesting the same, herewith report

No. 242, A.,

To the House, without recommendation.

Said bill was thereupon

Referred to the committee on the Judiciary.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled 'of the assessment and collection of taxes;'"

No. 17, S., a bill for an act to remit certain penalties imposed by section 51, chapter 28, of Revised Statutes, entitled of school and university lands;"

And asks the concurrence of the Assembly in the same.

I am further directed to present to you for signature,

No. 43, S., a bill for an act to appropriate to Hiram Bowen the sum of \$50 ;

No. 80, S., a bill for an act to authorize the Wisconsin Bank of Madison to reduce its capital ;

No. 111, S., an act to authorize the Forest City Bank to reduce its capital ;

No. 35, S., an act to amend chapter 191, of the Session Laws of 1859, entitled "an act to divide the county of Polk, and erect the county of Dallas.

Said bills

Nos. 43, 80, 111 and 35, S.,

Were signed by the Speaker.

BILLS ON THIRD READING.

No. 25, S., a bill for an act to repeal chapter 114, General Laws of 1859, conferring civil jurisdiction on county court of Crawford county ;

Was read a third time and passed.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

Taken up.

No. 24, A., a bill for an act to repeal sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61, of chapter 158, of the Revised Statutes, entitled "of the writ of *habeas corpus* relative to fugitive slaves ;"

Was postponed until the 15th inst.

No. 33, A., a bill for an act to lay out a State road from Eau Plaine to Eau Claire ;

Was postponed until the 21st inst.

No. 48, A., a bill for an act relating to the fire departments in the cities and villages of this State, and to amend chapter 190, of the General Laws of 1859, entitled "an act to regulate insurance companies not incorporated by the State of Wisconsin;"

Was referred to committee on Incorporations.

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to LaCrosse ;

And

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county ;

Were postponed until the 21st inst.

No. 154, A., a bill for an act to amend an act entitled "an act to incorporate the city of Madison ;"

Was referred to the delegation from the city of Madison.

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Co. of the city of Madison," approved March 19th, 1859 ;

The amendment was lost, and

Said bill with

No. 167, A., a bill for an act entitled "an act to amend sec. 6, of chap. 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

Were, on debate being intimated,
Laid aside.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills.

Mr. Ordway in the chair ;

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the recommendation accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital stock.

No. 83, S., a bill for an act to permit the Bank of Oconto to reduce its capital stock.

No. 187, A., a bill for an act to amend sec. 15, of chap. 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856.

No. 192, A., a bill for an act to amend chap. 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county."

No. 194, A., a bill for an act to incorporate the Fountain City Social Gymnastic Association.

No. 195, A., a bill for an act to amend chap. 197, of the

Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo."

No. 199, A., a bill for an act to amend sec. 8, of chap. 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances and the canceling of mortgages."

No. 200, A., a bill for an act to repeal an act entitled "an act to amend chapter 59, of the Local Laws of 1855, entitled 'an act to incorporate the Beloit Gas Light & Coke Co.;'"

No. 210, A., a bill for an act prescribing the mode of sale on judgment or orders of court in certain cases.

No. 244, A., a bill for an act to appropriate to A. Burnham, jr., the sum of \$18;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39;

No. 246, A., a bill for an act to appropriate to George Paine the sum of \$136 67;

No. 247, A., a bill for an act to appropriate to Wright & Paine the sum of \$44 63;

No. 248, A., a bill for an act to appropriate to D. R. Clement the sum of \$41;

No. 249, A., a bill for an act to appropriate to C. V. N. Kittredge the sum of \$188 61;

No. 250, A., a bill for an act to appropriate to William J. Gill the sum of \$30;

No. 251, A., a bill for an act to appropriate to Thomas B. Lacey the sum of \$87 68;

And

No. 26, A., a bill for an act to detach certain territory now included in school district in the city of Beaver Dam, and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county;

Without amendment.

No. 66, A., a bill for an act to divide the town of Wheatland and create the town of Randall, in the county of Kenosha;

With recommendation that it be made the special order for Tuesday next.

No. 196, A., a bill for an act to amend section 2, chapter 163, of the Revised Statutes, entitled "of crimes and the punishment thereof, and of proceedings in criminal cases;"

And,

No. 223, A., a bill for an act to authorize the State Superintendent to apportion school money to the town of Lomira, in the county of Dodge;

With recommendation that their enacting clauses be stricken out.

No. 148, A., a bill for an act restoring Levi B. Hanan to citizenship;

And,

No. 177, A., a bill for an act to amend section 8, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

With recommendation of reference to the committee on the Judiciary.

No. 188, A., a bill to repeal chapter 324, of the Private and Local Laws of 1856, entitled "an act to incorporate the village of Lancaster;"

With recommendation of indefinite postponement.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

Nos. 244, 245, 246, 247, 248, 249, 250 and 251, A.,
Were ordered engrossed for a third reading.

REPORTS.

The committee on Claims, to whom was referred bill

No. 258, A., a bill for an act to appropriate to the officers and employees of the Assembly of 1860, a certain sum of money;

Have had the same under consideration, and would respectfully report the same back, and recommend its passage.

HEBER SMITH.

On motion of Mr. Smith,

The rules were suspended for the purpose of putting said bill upon its passage ;

Mr. Cobb moved to amend by inserting "employees" after "officers," wherever it occurs ;

Which was agreed to, and

No. 258, A.,

Was read a third time, and

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bouck, Bow, Boyd, Brooks, Rugh, Bunn, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Meigs, Miller, Mitchell, Moore, Mulhol-

land, Munn, Nash, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—84.

Mr. Blackman voted in the negative.

To the Senate and Assembly:

The committee on Conference to whom was referred the disagreeing vote upon

No. 7, S., a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment thereof;

Have had the same under consideration, and report a substitute and recommend its passage.

B. E. HUTCHINSON,
E. D. MASTERS,
M. J. EAGAN,
of Senate Com.

WM. GRISWOLD,
M. B. PATCHIN,
of Assem. Com.

On motion,

Mr. McMichael had leave of absence for one week.

On motion of Mr. Elmore,

The Assembly adjourned.

SATURDAY, FEBRUARY 11, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Britton officiated as chaplain.

On motion of Mr. Coles,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Sumner :

Mem. No. 160, A., of A. F. Whitman and 84 others, for to change the name of the town of Marston, in Sauk county, and designate their place of holding elections ;

To committee on Town and County Organization.

By Mr. Cobb :

Mem. No. 161, A., a remonstrance of Cyrus K. Lord, Theodore Rodolf, Wm. E. Potter, C. G. Hanscom, E. D. Campbell and C. A. Stevens against the passage of a law chartering a certain railroad company ;

To committee on Railroads.

By Mr. Holton :

Mem. No. 162, A., remonstrance of the city of Milwaukee against the issuing bonds for the purchase of grounds for public park ;

To committee composed of Milwaukee delegation.

By Mr. Miller :

Mem. No. 163, A., of the board of trustees of the village of Geneva, to amend an act entitled an act to incorporate the village of Geneva ;

To committee of the Whole, with

Bill No. 264, A.

RESOLUTIONS INTRODUCED.

By Mr. Lyon:

Res. No. 70, A.;

Resolved, That in addition to the information called for in Res. No. 68, A., the Secretary of State be requested to report to this House, the amount paid out of the State treasury, for the benefit of the State Historical Society in each year since its organization, and for what purposes the same was paid.

Also, what sum is claimed by the State Printer, under his contract, for printing the report of such society for the year 1859.

And, also, whether the State has any legal interest in, or control over, the collections and other property of such society.

Resolved, That the State Treasurer be requested to withhold payment for any standing appropriations to the State Historical Society, until the Assembly shall receive and act upon such report of the Secretary of State.

Upon motion of Mr. Speaker,

The rules were suspended,
And the resolution adopted.

By Mr. Boyd:

Res. No. 71, A.

Resolved, That the committee on Education School and University Lands, be, and they are hereby instructed to inquire into the propriety of a change from the district to the township system of school government, and to report to this House as soon as practicable;

Which lies over.

By Mr. Howland:

Res. No. 72, A.;

Resolved, That the Sergeant-at-Arms be required to cut a hole four by six feet, through the roof and ceiling of this Assembly Chamber, for the purpose of giving the tobacco smoke free egress therefrom;

Which lies over.

By Mr. Miller:

Res. No. 73, A.,

Resolved, That the committee on the Judiciary be, and they are hereby instructed to report as early as Wednesday next, (February 15th,) on J. Res. No. 10, A.;

Proposing to amend section 11, of article 4, of the constitution;

Which lies over.

By Mr. Munn:

J. Res. No. 21, A.,

Resolved, by the Assembly, the Senate concurring, That Assembly bill No. 205, now in the hands of the joint committee on Enrolled Bills be withheld from the Governor for his signature and recommitted to a select committee consisting of the Columbia county delegation;

On motion of Mr. Munn,

The rules were suspended, and

The resolution adopted.

RESOLUTION CONSIDERED.

Res. No. 65, A.,

Providing postage stamps;

Introduced by Mr. Young yesterday;

Mr. Bouck moved to amend so as to read, "five dollars in penny stamps," and "one dollar in three cent stamps;"

Which was agreed to, and

The resolution as amended was adopted.

On motion,
Mr. Robertson was granted leave of absence for two days.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Smith :

No. 262, A., a bill for an act to amend chapter 188, Revised Statutes, entitled " of State Prison ;"

To committee on State Prison.

By Mr. DeWolf :

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank ;

To committee on Banks and Banking.]

By Mr. Miller :

No. 264, A., a bill for an act to amend an act, entitled " an act to incorporate the village of Geneva ;"

To committee of the Whole.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bill and find it correctly engrossed.

No. 111, A., a bill for an act to reduce the capital stock of the Bank of Manitowoc.

M. HOWLAND, *Ch'n.*

The committee on Education, School and University Lands to whom was referred bill

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

Have had the same under consideration and direct me to report the same with the recommendation that the same do pass.

EDWARD D. HOLTON, *Ch'n.*

The committee on School and University Lands to whom was referred

No. 40, A., entitled " a bill for an act to extend the time of payment of principal upon school and university land certificates ;"

Respectfully report the same back to the House, with an amendment, and recommend its passage as amended.

EDWARD D. HOLTON, *Ch'n.*

Said bill was referred to the Committee of the Whole.

The committee on Education to whom was referred
No. 219, A., a bill for an act to annex certain territory to
Geneva school district No. 1 ;

Respectfully report the same back to the House and recom-
mend its passage. EDWARD D. HOLTON, *Ch'n.*

The committee on Charitable and Religious Societies, ask
leave to report that they have in pursuance to Res. No. 4, A.,
visited the Institution for the Blind, at Janesville, and the In-
stitution for the Deaf and Dumb, at Delavan, and find on a full
and careful examination that the same are being conducted in
a most satisfactory manner.

The committee further report that they have carefully exam-
ined the annual reports of the officers of said Institutions and
believe them correct, and that the improvements recommended
by the officers of said Institutions in their annual reports,
which would require an appropriation of several thousand dol-
lars, are all necessary and will soon become unavoidable.

But the committee are of opinion that a portion of the im-
provements so recommended may be postponed a year or two
without serious injury to the welfare of said Institutions.

The committee herewith report by bill such appropriations
as they deem indispensably necessary for the coming year.

All of which is respectfully submitted.

JOHN DEWOLF, *Ch'n.*

Said bill being

No. 269, A., a bill for an act to appropriate to the Institute
for the education of the deaf and dumb, and the Institute for the
education of the blind, of the State of Wisconsin, certain sums
of money therein named ;

Was read first and second times, and referred to the commit-
tee on Claims.

The committee on the Judiciary, to whom was referred

No. 193, A., " a bill for an act to provide for special terms
of the circuit court, in the county of Trempeleau ;"

Have had the same under consideration, and have instructed
me to report the same back to the Assembly with a substitute,
and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

On motion of Mr. Bunn,

The rules were suspended,

The substitute adopted, and

The bill as so amended, was read the third time and passed.

The committee on Claims, to whom were referred accounts

Nos. 47 and 48, A., the accounts of A. P. Lipe for convey-
ing convicts to the State Prison at Waupun;

Nos. 53 and 54, A., the accounts of Edmund Gibbs for repairing and furnishing gas fixtures for the use of the State;

No. 55, A., the account of D. C. Poole for merchandize for the use of the State;

No. 56, A., the account of E. Martin, sheriff of Sauk Co., for conveying convicts to the State Prison;

Have had the same under consideration, and report them back by bills

No. 265, A., a bill for an act to appropriate to A. P. Lipe the sum of \$44;

No. 266, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$210 21;

No. 267, A., a bill for an act to appropriate to D. C. Poole the sum of \$41 07;

No. 268, A., a bill for an act to appropriate to E. Martin the sum of \$30;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

Said bills

Nos. 265, 266, 267 and 268, A.,

Were read first and second times, and

Placed on the general file.

The committee on the Judiciary, to whom was referred

Mem. No. 137, A., a "petition of Nicholas Kline for relief in school land entry;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and ask to be discharged from the further consideration thereof. The object sought by the petition having been already obtained by the petitioner, by the entry purchase from the State of the lands mentioned in the memorial.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 233, A., "a bill for an act providing for additional terms of the circuit court for the county of Racine;"

Have had the same under consideration, and instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 174, A., a bill for an act to amend chapter 113, of the General Laws of 1859, and chap. 153 of the Revised Statutes, entitled "of the lien of mechanics and others;"

Have had the same under consideration and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage as amended.

AMASA COBB, *Ch'n.*

The committee on Engrossed bills respectfully report that they have examined the following bills and find them correctly engrossed under Rule 48:

No. 244, A., a bill for an act to appropriate to A. Burnham, Jr., the sum of \$18;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39;

No. 246, A., a bill for an act to appropriate to Geo. Paine, the sum of \$186 67;

No. 247, A., a bill for an act to appropriate to Wright & Paine the sum of \$44 68;

No. 248, A., a bill for an act to appropriate to D. R. Clements the sum of \$41;

No. 249, A., a bill for an act to appropriate to C. V. N. Kittridge the sum of \$188 61;

No. 250, A., a bill for an act to appropriate to Wm. J. Gill the sum of \$30;

No. 251, A., a bill for an act to appropriate to Thomas B. Lacey the sum of \$87 68.

M. HOWLAND, *Ch'n.*

The joint committee on Enrolled Bills, report that on the 10th inst., they presented to the Governor the following bills for his approval:

No. 187, A., a bill for an act to authorize towns to assess and collect school moneys in certain cases, and the town clerk to certify thereto;

No. 84, A., a bill for an act to limit the liability of counties in certain cases.

No. 147, A., a bill for an act to appropriate to R. T. Lawton the sum of \$162;

No. 146, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$227 53;

No. 148, A., a bill for an act to appropriate to Donaldson and Treadway the sum of \$172 50;

No. 35, S., a bill for an act to amend chapter 191, of the Session Laws of 1859, entitled "an act to divide the county of Polk and erect the county of Dallas;

No. 111, S., a bill for an act to authorize the Forest City Bank to reduce its capital;

No. 43, S., a bill for an act to authorize the Wisconsin Bank of Madison, to reduce their capital.

GEO. BENNETT *of Senate Com.*

C. MILLER, *of Assembly Com.*

Said bill were signed by the Speaker.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 72, S., a bill for an act to appropriate to Alexander W. Randall, Governor of the State of Wisconsin, as a contingent fund for A. D. 1860, the sum of \$10,000.

I am further directed to inform you that the Senate has concurred in the passage of, with an amendment,

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point ;

Also,

That the Senate has indefinitely postponed the further consideration of

No. 4, A., a bill for an act to authorize the Northern Bank to reduce its capital ;

And of

J. Res. No. 19, A., correcting error in bill No. 186, A.

Also, that the Senate has passed, and asks the concurrence of the Assembly in

No. 110, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled an act relating to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.

I am further directed to inform you that the Senate has concurred in the passage of

J. Res. No. 17, A. ;

Relative to the distribution of town laws ;

And, further to return to the Assembly, correctly engrossed,

No. 84, S., a bill for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane ;

And to present to you for signature,

No. 37, S., a bill for an act to amend section 10, of chapter 52, of the laws of 1859, entitled " an act relating to the Dane county court ;"

No. 41, S., a bill for an act to amend chapter 71, of the Private and Local Laws of 1856, entitled " an act granting to William Millard, the right to keep and maintain a ferry across the Wisconsin river, in the towns of Prairie du Sac, Sauk county, and Black Earth, Dane county ;"

No. 45, S., " a bill for an act to amend section 80, of chapter

13, of the Revised Statutes, entitled of counties and county officers;"

No. 61, S., an act to amend section 27, of chapter 182, of the Revised Statutes, entitled, "of issues, mode of trial, and judgment in civil actions."

Bills Nos. 87, 41, 45 and 61

Were signed by the Speaker.

Nos. 72, 17, 11 and 110 S.,

Were read first and second times, and disposed of as follows :

No. 72, S.,

To committee on Contingent Expenditures. •

No. 17, S.,

Ordered returned to Senate, under J. Rule No. 19, for correction.

No. 11, S.,

To select committee under Res. 22, A.

No. 110, S.,

To general file.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawanaw county.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Mitchell, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—74.

No. 244, A., a bill for an act to appropriate to A. Burnham the sum of \$18 ;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin,

Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 245, A., a bill for an act to appropriate to John F. Lessey, the sum of \$39;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 246, A., a bill for an act to appropriate to George Paine the sum \$136 67;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 247, A., a bill for an act to appropriate to Wright & Paine, the sum of \$44 63 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 248, A., a bill for an act to appropriate to D. R. Clement the sum of \$41 ;

The ayes and noes being required,

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fisher, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 249, A., a bill for an act to appropriate to C. V. N. Kittredge the sum of \$188 61 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith,

Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 250, A., a bill for an act to appropriate to Willian J. Gill the sum of \$30;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

No. 251, A., a bill for an act to appropriate to Thomas B. Lacey, the sum of \$57 68 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Kingsbury, Lewis, Mackay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Rankin, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Winter, Young and Mr. Speaker—71.

None voted in the negative.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

Taken up.

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital stock;

And

No. 83, S., a bill for an act to permit the Bank of Oconto to reduce its capital stock;

Were ordered to a third reading.

No. 143, A., a bill for an act restoring Levi B. Hanan to citizenship ;

And

No. 177, A., a bill for an act to amend sec. 3, of chap. 116, of the Revised Statutes, entitled "of the circuit courts ;"

Were referred to the committee on the Judiciary.

No. 187, A., a bill for an act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18, 1856;

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county ;"

No. 194, A., a bill for an act to incorporate the Fountain City Social Gymnastic Association ;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo ;"

No. 199, A., a bill for an act to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and the cancelling of mortgages ;"

No. 200, A., a bill for an act to repeal an act entitled an act to amend chapter 59, of the Local Laws of 1855, entitled an act to incorporate the Beloit Gas Light and Coke Company;

No. 210, A., a bill for an act prescribing the mode of sales on judgments or orders of court in certain cases;

And

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam, and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county ;

Were ordered engrossed for a third reading.

No. 188, A., a bill to repeal chapter 824, of the Private and Local Laws of 1856, entitled an act to incorporate the village of Lancaster ;

Was indefinitely postponed.

The enacting clauses of

No. 196, A., a bill for an act to amend sec. 2, chap. 163, of the Revised Statutes, entitled "of crimes and the punishment thereof, and of proceedings in criminal cases ;"

And

No. 223, A., a bill for an act to authorize the State Superin-

tendent to apportion school money to the town of Lomira, in the county of Dodge;

Were stricken out.

Mr. Smith moved that the Senate be requested to return to the Assembly, for further consideration,

No. 258, A., a bill for an act to appropriate to the officers and employees of the Assembly of 1860, a certain sum of money ;

Which motion prevailed.

On leave, Mr. Judd introduced

No. 269, A. a bill for an act to authorize the levying and collection of a special tax on that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake ;

Which was read first and second times,

And upon motion of Mr. Judd,

The rules were suspended, and

No. 269, A.,

Was read a third time and passed, and

The title agreed to.

The following named gentlemen were granted leave of absence :

Mr. Bettis, for an indefinite time on account of sickness ;

Mr. Blackman for one day ;

Mr. Whiting for two days.

On motion of Mr. Bouck,

The Assembly resolved itself into the

COMMITTEE OF THE WHOLE

On the general file of bills,

Mr. Young in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had gone through with the same, reported back the following bills with recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 40, A., a bill for an act to extend the time of payment of principal upon school and university land certificates ;

With amendments.

No. 238, A., a bill for an act providing for additional terms of the circuit court for the county of Racine ;

No. 265, A., a bill for an act to appropriate to A. P. Lipe the sum of \$44 ;

No. 266, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$210 21 ;

No. 267, A., a bill for an act to appropriate to D. C. Poole the sum of \$41 07;

And

No. 268, A., a bill for an act to appropriate to E. Martin the sum of \$80;

Without amendment.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

The amendments to

No. 40., A.,

Were concurred in, and said bill ordered printed.

Nos. 233, 265, 266, 267 and 268, A.,

Were ordered engrossed for a third reading.

On motion of Mr. Horn,

The Assembly adjourned.

MONDAY, FEBRUARY 13th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Ruan,

The reading of the journal of Saturday was dispensed with.

COMMUNICATIONS, &c.

ATTORNEY GENERAL'S OFFICE,

February 4th, 1860.

To the Honorable, the Assembly of the State of Wisconsin:

I have the honor of submitting the following answer to your resolution No. 56, as follows:

“Resolved, That the Attorney General report to this Assembly whether it is in the power of a county board of supervisors to so alter the boundaries of any town within such county as to attach a portion of one town to another, which constitutes another and different Assembly District; and if so, in

which Assembly District are the electors so attached to cast their votes, and how are such votes canvassed and returned?"

Section 22, of article 4, of the Constitution gives to the Legislature full power "to confer upon the boards of Supervisors of the several counties, such powers of a local legislative and administrative character as they shall, from time to time prescribe."

The Legislature have exercised this power by giving to county boards of supervisors power "to set off, organize, vacate and change the boundaries of towns, &c." *Sub. 1, Section 28, Chapter 13, of Revised Statutes.*

There is no limitation whatever, in the grant of power by the Legislature to the county boards of supervisors; and, so the power be of a local nature, no limitation in the constitutional power of the Legislature to make the grant. Therefore, I have no difficulty in concluding that the county board *can* so alter the boundaries of any town within such county as to attach a portion of one town to another, in different Assembly districts.

Further: In answer to the question, "In which Assembly district are the electors so attached to cast their votes?" I have to say, that the county board have no power to change the boundaries of any Assembly district, and if such voters vote at all, for Assemblyman, they must do it in the old Assembly district. Article IV, section 4, of the constitution, provides that Assembly districts may be bounded by either "county, precinct, town or ward lines." Section 23, chapter 7, of Revised Statutes, impowers the inspectors of election to designate more than one place in a town where elections may be held. Now, in the case mentioned in your resolution, it is the duty of the proper authorities to make the new portion of the enlarged town, an election precinct by itself, in order that the inhabitants may vote separately from the other citizens of the town. In this manner, the Assembly district will remain as fixed by the Legislature, and be bounded by a "precinct" line, as required by the constitution, and the "town" remain as created by the county board. It is true, that the word "precinct" is not used in the statute referred to. But there can be no difference of opinion as to the meaning of the word "precinct," as used in the constitution. By the laws of the territory of Wisconsin, in force when the constitution was adopted, town and county authorities had power to establish several places for holding elections in the same town or county, and these places were called "precincts." The makers of the constitution undoubtedly used the word, with the meaning established by those statutes.

There can be no difficulty in canvassing the votes. They will be canvassed precisely as votes are canvassed in all towns, having more than one election district in them. Sections 49 to 53, inclusive, of chapter 7, of Revised Statutes, point out the manner of canvassing votes, by the inspectors of elections.—Section 56, of same chapter, makes it the duty of the inspectors to deliver one of the statements of votes to the town clerk, the other to the clerk of the board of supervisors of the county; and section 58, of the same chapter, makes it the duty of the county canvassers, when there is one or more Assembly Districts in the county, to canvass all the returns for members of the Assembly, precisely as votes for Governor are canvassed.

Respectfully submitted,

JAMES H. HOWE, *Att'y Gen.*

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Jackson :

Mem. No. 164, A., of William Dixon and others, citizens of Richland county, asking for the commissioner system of county government ;

To select committee under Res. 41, A.

By Mr. Sumner :

Mem. No. 165, A., of the board of supervisors of Sauk county, for a change in the county government ;

To select committee under Res. 41, A.

By Mr. Stannard :

Mem. 166, A., of 1,521 of the legal voters of Sheboygan county, asking the passage of a law authorizing them to vote upon the question of the removal of the county seat from the city of Sheboygan to Sheboygan Falls ;

To committee on Town and County Organization.

By Mr. Langland :

Mem. No. 167, A., of Ole Heg and other citizens of the town of Norway, for a grant of the swamp lands in that town ;

To committee on Swamp and Overflowed Lands.

RESOLUTIONS INTRODUCED.

By Mr. Langland :

J. Res. No. 22, A. ;

Resolved, by the Assembly, the Senate concurring, That the Superintendent of Public Property be, and he is hereby instructed to furnish the Sergeant-at-Arms, for the use of the

Legislature, any copies of the Governor's Message and other public documents ordered in the Norwegian language, by the Legislature of 1859, which may yet remain in his office;
Which lies over.

By Mr. Humann:

Res. No. 74, A.;

Resolved, That the committee on Railroads be, and they are hereby instructed to report to the Assembly whether any more legislation is necessary to establish a more uniform system of toll for conveying freight and passengers on the several railroads of this State, and also, whether a more safe management of such railroads can be secured;

Which lies over.

By Mr. Boyd:

Res. No. 75, A.;

Resolved, That the Governor be requested to communicate to this Assembly, an account of the expenditure of the standing appropriations to the State Agricultural Society, for the year 1859, as contained in the report required by law to be made annually by the executive committee of said society;

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 67, A.,

Instructing committee on Education, School and University Lands to report certain information;

Introduced by Mr. Ordway on the 9th inst.,

Was adopted.

Res. No. 71, A.,

Instructing committee on Education, to inquire relative system of school government;

Introduced by Mr. Boyd on the 11th inst.,

Was adopted.

Res. No. 72, A.,

Instructing Sergeant-at-Arms to ventilate the Assembly Hall;

Introduced by Mr. Howland on the 11th inst.,

Was referred to the Kenosha delegation.

Res. No. 73, A.,

Instructing Judiciary committee to report on J. Res. No. 10, A.;

Introduced by Mr. Miller on the 11th inst.,

Was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred ;

By Mr. Stannard:

No. 271, A., a bill to provide for the removal of the county seat of Sheboygan county, to the village of Sheboygan Falls;

To committee on Town and County Organization.

By Mr. Munn:

No. 272, A., a bill granting to the Madison, Portage City and Lake Superior railroad company certain lands to aid in the construction of a railroad, and to repeal and annul a grant heretofore made to the LaCrosse and Milwaukee railroad company;

To committee on Railroads.

By Mr. Coles:

No. 273, A., a bill for an act to amend the charter of the city of Appleton;

To committee on Incorporations.

By Mr. Clise:

No. 274, A., a bill for an act to amend section 87, chapter 18, of the Revised Statutes, entitled "of counties and county officers;"

To committee on the Judiciary.

By Mr. DeWolf :

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes ;"

To committee on Ways and Means.

REPORTS OF COMMITTEES.

The committee on Contingent Expenses to whom was referred bill

No. 72, S., a bill for an act to appropriate to Alexander W. Randall, Governor of the State of Wisconsin, as a contingent fund for A. D. 1860, the sum of \$10,000 ;

Have had the same under consideration, and instruct me to report it back to the Assembly, with the recommendation that it do pass.

E. W. YOUNG, *Ch'n.*

The committee on Ways and Means to whom was referred

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists ;

Have examined the same, and recommend its passage.

STODDARD JUDD, *Ch'n.*

The committee on State Affairs, to whom was referred

M. C. No. 3, A., a memorial to the Postmaster General of the United States, for re-instatement of weekly mail route 13,088, from Bayfield, in La Pointe county, to Chippewa Falls, in the county of Chippewa,

Have had the same under consideration, and report the same back, and recommend its passage.

L. J. FARWELL,

J. F. NEVILLE.

The committee on State Affairs, to whom was referred

Bill No. 87, A., a bill for an act to amend section 1, chapter 160, of the Session Laws of 1857, entitled an act to limit the rate of interest ;

Have had the same under consideration, and report the same back, and recommend that it be referred to the select committee to whom that portion of the Governor's message relating to interest was referred.

L. J. FARWELL, *Ch'n.*

Said bill was referred as recommended by the committee.

The committee on Claims to whom was referred account

No. 40, A., the account of Berliner & Bruno, for safe furnished the Bank Comptroller, by order of Superintendent of Public Property ;

Have had the same under consideration, and report it back by bill,

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner & Bruno, the sum of \$650 ;

And recommend that said bill do pass.

HEBER SMITH, *Ch'n.*

Said bill was read first and second times, and sent to the general file.

The committee on Incorporations have had under consideration, bill

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature ;

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan bridge company ;"

And have instructed me to report them severally back, with the recommendation that they do pass.

The committee have also had under consideration,

No. 217, A., a bill for an act to vacate part of the village plat of Sacramento, in Green Lake county;

Together with,

Mem. No. 136, A., accompanying the same;

Also,

No. 220, A., a bill for an act to vacate the plat of the village of Otterville, in Sauk county;

Together with,

Mem. No. 138, A., accompanying the same;

And find that by subdivision 8, section 28, chapter 13 of the Revised Statutes, the county board of supervisors have complete control and jurisdiction over the subject matter of said bills and memorials, and therefore report them severally back and recommend that they be indefinitely postponed.

The committee have also had under consideration, bill

No. 48, A., a bill for an act relating to the fire departments in the cities and villages of this State, and to amend chapter 190 of the General Laws of 1859, entitled "an act to regulate insurance companies not incorporated by the State of Wisconsin;"

Together with,

Mem's. No's. 53, 129, 43, 45, 18, 19, 20, 38, 40, 82, and 57, A., accompanying the same;

And have instructed me to report the same back with amendments, and recommend its passage when amended.

ROMANZO BUNN, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 183, A., a bill for an act relating to the estate of "T. J. Vanderbrock;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 12, A., the account of Messrs. Orton & Bryant,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and ask to be discharged from the further consideration thereof.

The services of the claimants, who are attorneys-at-law, were rendered at the request of the School Land Commissioners, as appears by the certificate of Col. D. W. Jones, then Secretary of State, in the two cases mentioned in the account.

Your committee are of the opinion that the State had no interest in defending the actions in which these services were rendered; and, second, that the School Land Commissioners

have no right to bind the State in the employing of counsel, either for the real or pretended purpose of protecting the interest of the State.

AMASA COBB, *Ch'n.*

The committee on Mining and Smelting, to whom was referred

No. 142, A., a bill for an act relative to persons mining for lead ore or other minerals ;

Have had the same under consideration, and instruct me to report the same back without amendment, and recommend that it do pass.

S. F. CLISE, *Ch'n.*

The select committee composed of the delegation from Kenosh to whom was referred

Res. No. 72, A.,

Respectfully report that said committee has had under consideration said Res. No. 72, A., and recommend its adoption.

M. HOWLAND, *Ch'n.*

Whereupon, said resolution was
Laid on the table.

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed under rule 48 :

No. 187, A., a bill for an act to amend sec. 15, of chap. 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856.

No. 194, A., a bill for an act to incorporate the Fountain City social gymnastic association.

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo."

No. 199, A., a bill for an act to amend sec. 8, of chap. 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and the canceling of mortgages."

No. 288, A., a bill for an act providing for additional terms of the circuit court for the county of Racine.

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam, and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county.

No. 265, A., a bill for an act to appropriate to A. P. Lipe, the sum of \$44.

No. 266, A., a bill for an act to appropriate to Edmund Gibbs, the sum of \$210 21.

No. 267, A., a bill for an act to appropriate to D. C. Poole, the sum of \$41 07.

No. 268, A., a bill for an act to appropriate to E. Martin, the sum of \$80.

M. HOWLAND, *Ch'n.*

The joint committee on Enrolled Bills report that on the 11th inst., they presented to the Governor for his approval the following bills, viz:

No. 37, S., a bill for an act to amend section 10 of chapter 52, of the laws of 1859, entitled "an act relating to the Dane county court;

No. 41, S., a bill for an act to amend chapter 71, of the Private and Local Laws of 1856, entitled "an act granting to William Millard the right to keep and maintain a ferry across the Wisconsin river, in the town of Prairie du Sac, county of Sauk, and Black Earth, Dane county;

No. 45, S., a bill for an act to amend section 80, of chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

And

No. 61, S., a bill for an act to amend section 27, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgments in civil actions."

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assem. Com.*

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, Wis., Feb. 11, 1860.

To the Honorable the Assembly:

I have received Resolution No. 69, A., requesting me to communicate to the Legislature whether or not S. W. Smith, of Manitowoc, has received any appointment from me, or from the school land commissioners, and if so, the motive of that appointment, with the powers and duties appertaining thereto; what compensation is allowed to said Smith, and whether he has authority to purchase goods at the expense of the State, and at his own discretion; and whether any similar appointments have been given to others, with similar authority to purchase goods for the State, and if so, how many and whom, and further from what fund are the expenses to be paid; &c.

Since the commencement of the present session of the legislature the commissioners of school and university lands appointed Charles R. Tyler to examine lands in Oconto, Brown, Door and Manitowoc counties.

Paul D. Hayward to examine lands in the counties north of Columbia county, bordering on the Wisconsin river;

S. W. Smith for the several counties bordering upon the Wolf river, lying north of Winnebago county.

These men were appointed by the commissioners for the purpose of "ascertaining whether trespasses were being committed, and if so to obtain and furnish the District Attorneys of the several counties with sufficient proof to enable them to prosecute such trespassers."

After their appointment I filed in the office of the Secretary of State a letter of authority, of which the following is a copy:

EXECUTIVE OFFICE,
MADISON, Jan. 16, 1860.

HON. L. P. HARVEY, *Sec. of State*:

SIR: I have this day authorized the employment of the following named persons for the counties named herein, to perform the duties described in section 9, of chapter 29, of the Revised Statute, under the instructions of the commissioners of school and university lands, to-wit:

Charles R. Tyler for the counties of Oconto, Door, Keweenaw, Manitowoc and Brown.

Sewall W. Smith for the counties of Shawano, Outagamie and Waupaca.

Paul D. Hayward for the counties of Adams, Juneau, Portage, Marathon and Wood.

ALEX. W. RANDALL.

The accompanying communication from the School Land Commissioners, gives full information upon the subject. The compensation was fixed by the commissioners. They were to act under specific instructions, which are found in the communication referred to. They had no authority to purchase goods for the State, at the expense of the State, and at their own discretion. The State is in no wise liable for any debts contracted by these agents.

ALEX. W. RANDALL.

OFFICE OF COMMISSIONERS OF S. AND U. LANDS,
MADISON, Feb. 10, 1860.

To His Excellency the Governor of the State of Wisconsin:

Very soon after the present commissioners entered upon the discharge of their duties as such, they received communications from different portions of the State, calling their atten-

tion to the trespasses being committed upon school, university and swamp lands of the State.

Letters were received from the district attorneys of Oconto and Shawano counties upon this subject, copies of which are hereto annexed.

Section 71, of chapter 28, of the Revised Statutes, gives the general care and supervision of all lands belonging to the State, to this department.

Section 6, of chapter 29, R. S., makes it the duty of the district attorney to prosecute trespassers upon the swamp lands of the State.

Section 9, of the same chapter, authorizes the Governor to cause to be seized and sold at public auction, all timber, &c., cut from swamp and overflowed lands of the State.

The commissioners felt called upon, in view of the well known fact that the principal value of these lands, in the northern and north-eastern portion of the State, consisted in the timber with which they were covered, to exercise their "care and supervision," by the appointment of clerks, who should visit the localities named, for the purpose of ascertaining whether trespasses were being committed; and if so, to obtain and furnish the district attorneys of the several counties with sufficient proof to enable them to prosecute such trespassers. Your Excellency has also empowered the same clerks to seize and sell any timber, &c., under the provisions of said section 9.

As it was thought desirable to act promptly, the commissioners did not await further action of the Legislature, but dispatched three clerks, at once, as hereinafter named. For the same reason, and in order that several localities might be visited and examined at the same time, these clerks were authorized to employ other persons, for a limited time, and for a limited compensation.

The commissioners appointed Charles R. Tyler to examine lands in Oconto, Brown, Door and Manitowoc counties.

Paul D. Hayward, for the several counties north of Columbia county, bordering on the Wisconsin river.

S. W. Smith, for the several counties bordering upon the Wolf river, lying north of Winnebago county.

A copy of the order appointing these clerks, with a letter of instructions, is hereunto annexed.

You will observe that the clerks are appointed only until further order, and at a salary of \$200 per annum, for the time actually employed.

The commissioners have every reason to be satisfied with the services of Mr. Tyler and Mr. Hayward. They are proceed-

ing with great prudence and energy in the discharge of their duties, and important valuable results have already followed their action.

With Mr. Smith, the result thus far has not been satisfactory. He seems to have misunderstood his instructions. Instead of acting as a detective, he has proceeded at an expense utterly disproportionate to an service he could render, as though he was to take possession of a hostile country. As soon as information reached the commissioners of his transactions, they were at once repudiated by them in a letter transmitted to him on the 2d of February inst.

Neither the Department nor the State are liable for such expenses as have been incurred by Mr. Smith for an outfit, and they will not be paid. Such additional instructions have been sent him, as will, it is hoped, render his services of value to the State. If they shall not, he will be promptly recalled.

Some additional legislation would seem to be necessary in the matter. The commissioners submit herewith, two bills, which they respectfully ask may be transmitted to the Legislature, with such recommendations as your Excellency may think they merit.

Respectfully submitted.

L. P. HARVEY,
SAM'L D. HASTINGS,
JAMES H. HOWE,

Ex-officio Commissioners of School and University Lands.

OCONTO, DECEMBER 28, 1859.

HON. JAMES H. HOWE :—The practice of cutting timber upon the State lands, prevails in this county extensively. This custom has prevailed so long that the memory of man runneth not to the contrary. The present season they are making an awful descent upon the tall timber—upon both the school and swamp lands. The lands upon which these trespasses are being committed, have been sold I think and subsequently forfeited.

It would be little use, in most cases, to prosecute for damages, as the parties are generally irresponsible, pecuniarily. If an agent is sent here to watch these lands, it is quite necessary that he have power to appoint sub-agents, as the county presents a larger field than one man could well superintend.

Yours truly,

JOHN J. McCLELLAN,
Dist. Att'y of Oconto County.

SHAWANO, January 6, 1860.

Gen. JAMES H. HOWE:

Sir:—I think that waste is being committed on school lands in this county, belonging to the State, but am not certain, as some of the lands in this county have recently been sold. I would like to have an abstract of the school lands in this county, as I wish to put a stop to the unlawful cutting of timber, on school lands in this county.

Yours truly,

GEO. B. EDMONDS,

Dist. Atty. for Shawanaw Co.

STATE OF WISCONSIN,

OFFICE OF COMMISSIONERS OF SCH. & UNIV. LANDS,

MADISON, January 14th, 1860.

Whereas, it is represented that trespasses are being committed on the state lands in the counties of ———, it is ordered, that ——— be employed to proceed immediately to said counties, and to examine said state lands, including those sold on contract: That he be authorized to employ such assistance as may be necessary for the prompt discharge of said duties, at an expense not exceeding two dollars and fifty cents per day, to the State, for each person employed: that should he find any person or persons cutting or removing timber therefrom, or in any manner trespassing upon said lands, that he report the same in writing, with all necessary facts and circumstances, to this Board, and also to the District Attorney for the counties in which such trespasses are being or have been committed. It is also made a part of his duty to ascertain and report the names of all witnesses by which such trespasses can be proved.

It is further ordered, that the compensation of said ——— be at the rate of eight hundred dollars per annum, and necessary traveling expenses, for the time he shall be so employed by the commissioners.

(Signed)

L. P. HARVEY, *Sec. of State,*SAMUEL D. HASTINGS, *St. Treas.*JAMES H. HOWE, *Atty. General.**Ex-Officio Commissioners of School and University Lands.*

OFFICE OF SCHOOL AND UNIVERSITY LAND COMMISSIONERS,

MADISON, January 8, 1860.

SIR:—In discharging the duties of your appointment, you will employ such a number of assistants as are necessary for their prompt discharge, but at as small expense to the State as

possible. It is desired that you, or some one employed by you, should visit each lumbering section at the earliest possible moment, in order that you can learn upon what particular tracts lumbering operations are now being carried on; and when a tract of school, university or swamp land is trespassed upon, you should immediately order the trespasser to desist, and take immediate steps to ascertain the tract of land, and all other facts to enable the District Attorney to prosecute any action he may deem advisable.

You are particularly required to report to this office all your proceedings under your appointment, at least once in each week, unless you are prevented by absence from a post office.

For the Commissioners,

JAMES H. HOWE,
Attorney General.

On motion of Mr. Horn,

Said message and accompanying document were referred to committee on Swamp and Overflowed Lands.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital stock;

And

No. 88, S., a bill for an act to permit the Bank of Oconto to reduce its capital stock.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 187, A., a bill for an act to amend sec. 15, of chap. 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856.

No. 194, A., a bill for an act to incorporate the Fountain City Social Gymnastic Association.

No. 195, A., a bill for an act to amend chap. 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo."

No. 199, A., a bill for an act to amend sec. 8, of chap. 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances and the canceling of mortgages."

No. 238, A., a bill for an act providing for additional terms of the circuit court for the county of Racine;

No. 260, A., a bill for an act to detach certain territory now included in School District of the city of Beaver Dam, and to attach the same to School District No. 5, of the town of Beaver Dam, in the county of Dodge;

No. 265, A., a bill for an act to appropriate to A. P. Lipe the sum of \$14;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Rankin, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 266, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$210 21;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 267, A., a bill for an act to appropriate to D. C. Poole the sum of \$12 07;

The ayes and noes being required,

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Horton, Howland, Humann,

Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Rankin, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 268, A, a bill for an act to appropriate to E. Martin, the sum of \$30 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Green, Griffin, Grover, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mcakay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Rankin, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—72.

None voted in the negative.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

Taken up.

No. 66, A., a bill for an act to divide the town of Wheatland and create the town of Randall, in the county of Kenosha;

Was made the special order for the 14th inst.

No. 157, A., a bill for an act to amend an act, entitled "an act to incorporate the Mutual Life Insurance Company, of the city of Madison," approved March 19, 1859;

Was ordered engrossed for a third reading.

On motion of Mr. Bouck,

The Assembly resolved itself into the

THE COMMITTEE OF THE WHOLE,

On the general file of bills;

Mr. Fairchild in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported

back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors;

And

No. 49, A., a bill for an act concerning mortgages to the State on school lands in the city of Racine;

With amendments.

No. 68, S., a bill for an act to amend chap. 97, of the laws of 1849, being the charter of Carroll College;

No. 138, A., a bill to restore William Greeno to citizenship;

No. 156, A., a bill for an act to amend sec. 16, of chap. 35, of the Revised Statutes, entitled "of excise;"

And

No. 180, A., a bill for an act to amend sec. 1, of chap. 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sale of forfeited lands;"

Without amendment.

No. 84, S., a bill for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane;

And

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

With recommendation of reference to the Dane county delegation.

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society, of the city of Milwaukee;

With recommendation of reference to committee on Incorporations, with instructions to report a general bill.

No. 182, A., a bill for an act relating to proceedings in probate courts.

And

No. 204, A., a bill for an act to define the qualifications of electors in certain cases;

With recommendation of reference to the committee on the Judiciary.

REPORT OF THE COMMITTEE OF THE WHOLE

Taken up.

The amendments to

Nos. 49 and 234, A.,

Were concurred in, and

Nos. 49, 138, 156, 180, and 234, A.,

Were ordered engrossed for a third reading.

No. 84, S. and 224, A.,

Was referred to Dane county delogation.

Nos. 182, and 204, A.,

Were referred to the committee on Judiciary.

No. 168, A.,

Was referred to the committee on Incorporations, with instructions to report a general bill.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has agreed to the report of the committee of conference on bill

No. 7, S., an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment thereof;

I am further directed to inform you that the Senate has concurred in the passage of

No. 248, A., a bill for an act to extend the time for the payment of State and county taxes in the city of Racine, for the year 1859;

No. 270, A., a bill for an act to authorize the levying and collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, in the town of Fox Lake ;

Also,

That the Senate has passed, and asks the concurrence of the Senate in

No. 134, S., an act to appropriate to the State Prison commissioner the sum therein named.

I am further directed to return, as requested by the Assembly,

No. 258, A., a bill for an act to appropriate to the officers and employees of the Assembly of 1860, a certain sum of money.

On motion of Mr. Alden,

The Assembly adjourned.

TUESDAY, FEBRUARY 14, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Walter officiated as chaplain.

On motion of Mr. Griffin,

The reading of the journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence :

Messrs. McKay and Kingsbury, for one week; and Mr Green for eight days.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Neville:

Mem. No. 168, A., of the taxable citizens and property owners of Brown county, to the Legislature of Wisconsin, to abolish the present system of county government, and adopt the commissioner system;

To select committee under J. Res. No. 41, A.

By Mr. Bouck:

Mem. No. 169, A., of the inhabitants of the town of Omro, and stockholders in the Ripon and Wolf River Railroad Company, concerning the election of directors therein ;

To committee on Railroads.

By Mr. Baldwin:

Mem. No. 170, A., of Samuel Steel and 14 others, of the town of Mt. Pleasant, Racine county, in favor of extending the time for payment of school land certificates;

To committee on Education.

By Mr. Sumner:

Mem. No. 171, A., of John F. Bull and others, relative to damages done by Kilbourn City dam;

To committee on Internal Improvements.

By Mr. Kingsbury:

Mem. No. 172, A., remonstrance of David Taylor and 1470 other citizens of Sheboygan county against removing the county seat from Sheboygan city;

To committee on Town and County Organization.

By Mr. Miller:

Mem. No. 173, A., remonstrance against the passage of bill No. 209, A., annexing certain territory to Geneva school district;

To committee on Education.

By Mr. Speaker: ' "

SECRETARY'S OFFICE, MADISON, February 10, 1860.

HON. W. P. LYON, *Speaker of the Assembly*:

SIR :—I have the honor to acknowledge the receipt of resolution No. 58, A., respecting the Fox and Wisconsin Improvement Company, and beg leave in reply to submit the accompanying statements, which answer the requisitions of the Assembly as nearly as can be done from the records in this office. The different reports received intermingle and overlap each other to such a degree that it has been found impracticable to digest them sufficiently to present a clear statement.

Very respectfully, your obedient servant,

L. P. HARVEY.

" A "

List.	No.	Date of Approval.	Acres.	Acres.
.....	1	May 9th, 1849,.....	123,054.41	
.....	2	September 15th, 1849,.....	9,591.20	
.....	.....	January 18th, 1851,.....	80.00	
.....	.....	April 15th, 1851,.....	240.00	
.....	.....	August 28th, 1852,.....	73,824.82	
.....	3	June 19th, 1851,.....	1,274.60	
				208,065.04
Original,...	1	Approved April 21st, 1857,..	2,236.51	
.....	3		95,414.38	
.....	4		2,508.78	
.....	5		1,484.63	
.....	6		12,874.86	
.....	7		1,489.99	
.....	8		10,212.16	
.....	9		18,277.02	
				144,498.33
Min. Pt. Dis	1	Approved April 21st, 1857,..	16,249.95	
Hudson,...	1		23,612.51	
Menasha,...	1		1,000.00	
.....	2		133,377.47	
La Crosse..	1		44,858.59	
.....	2		17,367.98	
				236,466.50
.....	2	.....	120.01	
				120.01
Sup.,.....	A	Approved February 11th, 1859,..	40,745.52	
.....	.....	do... June 28th, 1859,.....	359.01	
.....	B	do... do... do... do	721.54	
.....	C	do... do... do... do	14,059.60	
.....	D	do... do... do... do	29,067.70	
				84,958.37
		Total,.....	.....	674,103.25

"B"

Amount of Land Sold.

Date.	Acres.	Am't paid at time of sale.	Price sold for
September 7th, to Sept. 19th, 1857,.	1,329.20	\$1,459 49	\$4,077 09
September 19th, to Oct. 2d, 1857,...	1,223.69	1,558 00	4,497 05
October 2d, to Oct. 20th, 1857,.....	1,289.70	1,441 98	4,218 40
October 20th, to Dec. 3d, 1858,.....	1,234.34	1,860 74	3,503 12
December 30th, to March 3d, 1858,.	1,201.83	1,569 71	3,985 96
March 3d, to June 24th, 1858,.....	1,665.64	3,671 51	4,658 31
August 23d, 1858,.....	1,168.93	1,368 77	3,356 78
August 23d, to Sept. 17th, 1858,....	1,727.88	3,720 70	4,779 70
September 17th, to Oct. 14th, 1858,.	1,903.78	4,052 84	4,912 38
October 14th, to Oct. 30th, 1858,...	2,863.23	7,195 08	7,328 08
October 30th, to Nov. 1st, 1858,....	837.30	2,023 25	2,113 25
November 1st, to Dec. 1st, 1858,....	760.00	1,311 34	2,060 00
Total to December 1st, 1858,.....	17,160.52	\$30,673 41	\$49,490 12
Sales from Dec. 1, '58, to Dec. 1, '59,	29,027.25	68,453 37	75,214 47
	46,187.77	99,126 78	124,704 59

Recapitulation.

Number of acres sold,	46,187.77
Amount paid at time of sale,	\$99,126 78
Price sold for,.....	\$124,704 59

"C"

Statement of the Trustees

Of the Receipts and application of moneys received from the date of their appointment, October 3d, 1856, to December 1st, 1858.

RECEIPTS

From lands sold,.....	\$46,504 15
old contracts for lands prior to October, 1856,.....	20,532 68
lease of water power,.....	275 00
sales of grass and company's lands	68 80
premiums on gold drafts,.....	61 88
	<u>\$67,442 46</u>

APPLICATION

Paid over to the agents of the company, \$61,877 50	
Vouchers taken, but not delivered to the company,.....	5,564 96
	<u>\$67,442 46</u>

"C."—continued.

Brought forward,..... \$67,442 46
 Statement of Trustees of the receipts and applica-
 tion from Dec. 1, 1858, to Dec. 1, 1859.

RECEIPTS

From sales of lands,	\$68,458 87
new contracts,.....	4,071 29
old contracts made prior to Oct.	
3d, 1856,.....	3,220 23
water powers,.....	275 00
sales of grass on company's lands,.	100 07
premiums on gold, &c.,.....	12 77
timber cut on company's land,....	70 00
	<hr/>
	\$76,202 73

APPLICATION

Paid over to the agents of the company,	\$75,125 48
Paid 3.12 per cent. Improvement Fund	
certificates and interest,.....	357 24
Cash in lands of Trustees agent,.....	730 00
	<hr/>
	76,202 73
	<hr/>
	\$143,645 19
	<hr/>
	\$143,645 19
	<hr/>

• "E."

Statement of the Secretary of the Fox and Wisconsin Im-
provement Company.

Exhibiting the application of moneys by the Company in the payment of
 State indebtedness and the enlargement of the works, from the 3d day of
 October, 1856, to September 1st, 1857:

STATE INDEBTEDNESS.

5 Improvem't Fund certificates of \$1,000	
each,.....	\$5,000 00
10 Improvem't Fund certificates of \$500	
each,.....	5,000 00
Warrants issued to sundry persons, sur-	
rendered and cancelled,.....	3,599 45
Interest, amount on the above, and upon	
outstanding Improvement Fund certi-	
ficates,.....	32,629 87
	<hr/>
	\$46,229 32

CONSTRUCTION OF WORKS.

Rapide Croche,.....	\$1,925 74
Kaukauna,.....	1,477 93
Construction,.....	328 25
Dredge boats,.....	14,097 51
Menasha,.....	1,638 32
Lock houses,.....	75 00
Portage,.....	6,120 00
Montello,.....	2,300 00
Wing dams,.....	455 75
Little Kaukauna,.....	12,960 00
Depere,.....	16 00
	<hr/>
	\$41,394 50
	<hr/>
	\$87,623 82

"E."—continued.

Brought forward,.....	\$87,623 82
Statement of Secretary of receipts and applications from Sept. 1, 1857, to Sept. 1, 1858:	
5 Improvem't Fund certificates of \$1,000 each,.....	\$5,000 00
Warrants issued to sundry persons, sur- rendered and cancelled,.....	23 19
Interest, amount paid on the above and other outstanding certificates, &c.,....	12,406 78
	<u>\$17,429 97</u>

CONSTRUCTION OF WORKS.

Rapide Croche,.....	\$3,790 00
Grand Chute,.....	16 62
Little Chute,.....	1,617 14
Construction,.....	264 81
Dredge boats,.....	4 742 71
Menasha,.....	1,353 25
Lock houses,.....	975 19
Fort Winnebago,.....	8,045 07
Montello,.....	12,260 00
Wing dams (upper Fox),.....	1,446 18
Little Kaukauna,.....	21,596 86
	<u>\$56,107 33</u>
	\$73,537 30

Statement of Secretary of receipts and applications
from Sept. 1, 1858, to Dec. 1, 1859:

STATE INDEBTEDNESS

As reported by Treasurer to July 1, 1859:

Interest paid on 12 per cents.,.....	\$379 43
Interest paid on 12 per cents. at Land Of- fice,.....	47 25
3 Improvement Fund certificates,.....	300 00
	<u>\$726 68</u>

CONSTRUCTION OF WORKS.

Rapide Croche,.....	\$22,544 47
Little Kaukauna,.....	4,028 52
Little Chute,.....	13,182 97
Menasha,.....	3,818 61
Wing dams,.....	2,550 99
Montello,.....	6,298 65
Fort Winnebago and Portage,.....	15,267 27
Dredge boats,.....	8,039 86
Land damages,.....	8,318 00
Engineering,.....	10,548 71
	<u>\$89,481 56</u>
	<u>\$90,208 24</u>
Total,.....	<u><u>\$251,369 36</u></u>

14, 1860.]

THE ASSEMBLY.

349

"E."—continued.

Recapitulation.

STATE INDEBTEDNESS.

Am't as per statement to Sept. 1, 1837,...	\$46,229 32
Am't as per statement to Sept. 1, 1838,...	17,429 97
Am't as per statement to Dec. 1, 1859,...	726 68
	<u>\$64,385 97</u>

CONSTRUCTION OF WORKS.

Am't as per statement to Sept. 1, 1837,...	\$41,394 50
Am't as per statement to Sept. 1, 1838,...	56,107 38
Am't as per statement to Dec. 1, 1859,...	88,481 56
	<u>\$186,983 39</u>

Total,.....] \$251,369 36

F..

Statement of Albert G. Allen, Secretary, &c., Fox and Wisconsin Improvement Company.

Expended by the Fox and Wisconsin Improvement Company from Oct. 3, 1836 to Sept. 1, 1837:

		<i>. Payable out of 25 per cent.</i>
Engineering,.....	\$4,924 71	
Expenses,	9,776 96	
Contingent expenses,	5,117 84	
Expenses land department,.....	550 00	
Operating,.....	5,027 84	
Interest,	7,582 64	
Road interest,.....	40,700 00	
Other expenditures,	252,109 73	

THE STATE INDEBTEDNESS.

Improvement Fund certificate, State of Wis.,.....	\$10,000 00
Interest on certificate and not on warrants,	32,686 35
Warrant issued by State of Wisconsin,	3,542 97

EXPENDED FOR COMPLETION OF WORKS.

Rapide Croche,	1,925 74
Kaukauna,	1,477 93
Construction,	328 25
Dredge boats,.....	14,097 51
Menasha,.....	1,588 32
Lock houses,.....	75 00
Portage,.....	6,120 00
Montello,	2,300 00
Wing dams,.....	455 75
Little Kaukauna,.....	12,960 00
Depere,	16 00

..

\$325,789 22 \$87,573 82

NOTE.—The items extended in the right-hand column, amounting to the sum of \$87,573 82, again appears in statement marked "E."

"G."

Statement of Daniel C. Jenne, Chief Engineer and Superintendent.

Expenditures of the Fox and Wisconsin River Improvement Company from October 3d, 1856, to September 17th, 1857, on the upper and lower Fox Rivers:

Construction of lock and dam at Little Kaukauna,....	\$26,000 00
Re-building lock at Rapid Croche,	5,300 00
Completing canal at Menasha,.....	1,200 00
Constructing lock and dam at Montello,.....	8,500 00
Re-building lock at Fort Winnebago,	9,200 00
Improvement of canal locks and dams on lower Fox,..	5,000 00
Constructing dredge boats,.....	12,000 00
Operating dredge boats,.....	3,500 00
Constructing wing dams on upper Fox,.....	1,300 00
Miscellaneous expenditures,	1,500 00
Engineering,	6,500 00
Total,.....	<u>\$80,000 00</u>

"H."

Statement of Daniel C. Jenne, Chief Engineer.

Application of moneys by the Fox and Wisconsin River Improvement Company, not embraced in the statement of the Secretary.

ENGINEERING,

From Oct. 3, 1856, to Oct. 1, 1857,.....	\$9,995 48
From Oct. 1, 1857, to April 1, 1858,.....	\$4,703 22
Lock, dam and section at Little Kaukauna,.....	6,936 63
	<u>11,639 85</u>

vouchers in hands of Chief Engineer not returned to Secretary, viz :

ENGINEERING.

From April 1, to Oct. 1, 1858,.....	\$4,287 67
Lock, dam and section at Kaukauna,.....	3,000 00
Lock at Rapide Croche,.....	20,964 47
Section at Menasha,	3,626 66
Lock, dam and section at Montello,.....	4,230 00
Lock, dam and section at Ft. Winnebago,.....	9,045 28
Lock, dam and section at Portage City,.....	897 07
Enlarging canal at Little Chute,....	1,780 20
Dredging,.....	1,310 95
Land damages,	2,575 00
	<u>\$51,717 30</u>

Recapitulation.

Amount as per Secretary's statement in payment for State indebtedness and for construction of works from Oct. 3, 1856, to Sept. 1, 1857,.....	\$87,623 82
Amount as per Chief Engineer's statement, from Oct. 3, 1856, to Oct. 1, 1857, not included in the statement of the Secretary,.....	9,955 48
	<u>\$97,579 30</u>

"H."—continued.

Brought forward,.....	\$97,579 30
Amount as per Secretary's statement in payment of State indebtedness and for the construction of works from Sept. 1, 1857, to Sept. 1, 1858,.....	73,537 30
Amount as per Chief Engineer's statement not included in Secretary's statement, from Oct. 1, 1857, to Oct. 1, 1858,	11,636 63
Amount as per statement of Chief Engineer, and vouchers on land not returned to Secretary from April 1, 1858, to Oct. 1, 1858,.....	51,717 30
	<hr/> 136,891 23
Total expenditures from Oct. 3, 1856, to Oct. 1, 1858, for payment of State indebtedness and completion of works,.....	<hr/> \$234,470 58

General Recapitulation.

Number of acres of land approved, "A."	674,103.25	a
Number of acres of land sold, "B."	46,187.77	
Amount sold for, "B."	\$124,704 59	
Amount paid at time of sale, "B."	99,128 78	
Amount of moneys received by trustees as per their reports, "C." ..	143,645 19	
Amount of moneys applied by trustees as per their reports, "C." ..	142,915 19	
Amount of moneys in the hands of trustees as per their reports, "C." ..	730 00	
State indebtedness—payments on this account as per statements of Secretary marked "E."	64,885 97	
Construction of works—payments on this account as per statements of Secretary marked "E."	186,983 39	
Miscellaneous expenditures as per statement of Secretary marked "F." (This may be embraced in either of the foregoing items.) ..	325,789 22	
Statements of Daniel C. Jenne, chief engineer, of expenditures on the upper and lower Fox river, marked "G."	80,000 00	
Statement of Daniel C. Jennie, chief engineer, of application of moneys by the Fox and Wisconsin River Improvement Company from Oct. 3, 1856, to Oct. 1, 1858, as per statement marked "H." ..	234,470 58	

Said communication and statistics were referred to a select committee, consisting of Messrs. Munn, Young and Neville.

ACCOUNTS

Presented and referred to committee on Claims :

By Mr. Fairchild :

No. 57, the account of Andrew Bishop.

RESOLUTIONS INTRODUCED.

By Mr. Smith :

Res. No. 76, A.,

Resolved, That the Sergeant-at-Arms be and is hereby directed to cause to be opened the cold air flues in the Assembly

hall, and place iron ventilators in the same, as soon as practicable ;

Which being of a privileged character ;

The question was taken,

And the resolution adopted.

By Mr. Wescott :

Res. No. 77, A.,

Resolved, That the use of this Assembly hall be granted to William Blount, of Munroe, Green county, Wis., at 4 o'clock this afternoon, for the purpose of making some statements and explanations, &c., in relation to the memorial presented by him to this Legislature ;

Which being of a privileged character ;

The question was taken,

And the resolution was lost.

RESOLUTIONS CONSIDERED.

J. Res. No. 22, A.,

Ordering Governor's Message and other documents in the Norwegian language from Superintendent of Public Property; Introduced by Mr. Langland yesterday,

Mr. Horn moved to amend by striking out the words "the Legislature," and insert, "members desiring the same;"

Which was agreed to;

And the resolution, as amended, was adopted.

Res. No. 74, A.,

Instructing committee on Railroads to report in reference to uniformity of freight charges on Railroads;

Introduced by Mr. Humann yesterday,

Mr. Beath moved to amend by adding

"And further to inquire into the expediency of making more adequate provisions by law, whereby laborers and employees in their service may be better enabled to obtain their wages;"

Which was agreed to, and

The resolution as amended was adopted.

Res. No. 75, A.,

Relative to the appropriation to the State Agricultural Society;

Introduced by Mr. Boyd yesterday,

Was adopted.

Mr. Elmore had leave to withdraw

Account No. 39, A., of W. E. Cramer.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Palmer :

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings thereon ;"

To committee on the Judiciary.

And

No. 278, A., a bill to amend section 28, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions ;"

To committee on the Judiciary.

By Mr. Judd :

No. 279, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace ;"

To committee on the Judiciary.

By Mr. Whittlesey :

No. 280, A., a bill for an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment thereof ;

To select committee under Res. No. 22, A.

By Mr. Bouck :

No. 281, A., a bill for an act to amend subdivision 4, section 11, chapter 23, of the Revised Statutes, entitled "of common schools ;"

To committee on Education.

And

No. 282, A., a bill for an act to amend chapter 409, of the Private Laws of Wisconsin for the year 1856, entitled "an act to incorporate the Ripon and Wolf River Railroad ;"

To committee on Railroads.

By Mr. Neville :

No. 283, A., a bill for an act to equalize the State tax for Brown county ;

To committee on State Affairs.

By Mr. Smith :

No. 284, A., a bill for an act to establish the name of Elsie Metcalf ;

To committee on Ways and Means.

By Mr. DeWolf :

No. 285, A., a bill for an act to amend section 80, of chapter 7, of the Revised Statutes, relating to the qualification of voters;

To committee on the Judiciary.

By Mr. Ordway:

No. 286, A., a bill for an act to amend section 2, of chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

To committee on the Judiciary:

And,

No. 287, A., a bill for an act to amend section 55, of chap. 133, of the Revised Statutes, entitled "of costs and fees;"

To committee on the Judiciary.

And,

No. 288, A., a bill for an act to amend section 25, of chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and the proceedings therein;"

To committee on the Judiciary.

By Mr. Munn:

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 98, of the Private and Local Laws of 1858, entitled 'an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof ;'"

To committee on Education.

REPORTS OF COMMITTEES.

The Judiciary committee, (Mr. Palmer not acting with the committee, having heretofore acted as the attorney for Mr. Hitchcock,) to whom was referred the memorial and account of James H. Hitchcock, report that in the year A. D. 1855, Messrs. Hitchcock & Co., (of which firm the said James H. Hitchcock was at the time a member,) sold to the State of Wisconsin, at the request of John McManman, then Adjutant General of the State, a bill of military equipments, amounting to \$1,242 25; that at the time said McManman made said purchase he had the following authority for making the same :

" EXECUTIVE DEPARTMENT,

" MADISON, WIS., June 30th, 1854.

" The bearer, Adjutant General John McManman, of this State is authorized to purchase on account of the State, such camp equipage and munitions as he may be able to obtain.

Any arrangement he may make in the purchase will be recognized by me.

"Signed,

W. A. BARSTOW."

That immediately after said purchase of the said equipments, the same were forwarded by said Hitchcock & Co., to Milwaukee, per order of Adjutant General McManman, and there placed in charge and delivered to A. Phillips, military storekeeper for the State; and that said equipments remained in charge of the said military storekeeper until the summer of 1856, when a portion thereof, by order of Gov. Bashford, were delivered to the Milwaukee Light Guard; and that in the year 1857, the balance of said military equipments, purchased as aforesaid from the said Hitchcock & Co., were by the order of Gov. Bashford distributed among the several organized uniformed companies of this State, and have been ever since, and now are used by the said military companies, to whom they were delivered as aforesaid.

The Judiciary committee are of the opinion that said military equipments were purchased without any authority of law. Whether the State is legally liable for the payment of the same, is a question upon which there may be an honest difference of opinion. It may be contended on the one part, that although the same were purchased without any authority of law, yet from the fact, that they were delivered to the proper authorities of the State, and by them distributed among the regular organized military companies of the State, thereby appropriating the same to its own use, the State becomes legally liable to pay for the same. While on the other hand it may be contended that the appropriation of the same by the Governor to the military companies of the State, without the sanction or authority of the Legislature does not make the State liable therefor. But, the committee are of the opinion that the said equipments having been by the said Hitchcock & Co., delivered to and received by the proper authorities of the State, and by the said contractors distributed among the organized military companies thereof; and by them appropriated and used, the State is equitably liable for the payment of the same, and that the amount due therefor is a just claim against the State; and that an appropriation should be made for the payment of the same. The Judiciary committee therefore recommend the passage of the accompanying bill.

GAB. BOUCK, *Ch'n pro tem.*

Said bill being

No. 290, A., a bill for an act to appropriate to Hitchcock & Co., the sum of \$1,242 25;

Was read first and second times, and
Referred to the committee on Claims.

The committee on Enrolled bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 248, A., an act to extend the time for the payment of State and county taxes in the city of Racine, for the year 1859;

No. 176, A., an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point;

No. 270, A., an act to authorize the levying and collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Incorporations, to whom was referred

Bill No. 235, A., a bill for an act to amend an act entitled an act to amend an act to incorporate the village of Omro;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend its passage.

ROMANZO BUNN, *Ch'n.*

Said committee have also had under consideration

Bill No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

And have instructed me to report the same back to the Assembly, with certain amendments herewith submitted, and to recommend its passage when so amended.

ROMANZO BUNN, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed under Rule 48:

No. 156, A., a bill for an act to amend section 16, of chapter 45, of the Revised Statutes, entitled "of excise;"

No. 180, A., a bill for an act to amend section 1, of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sale of forfeited lands."

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find the same correctly engrossed:

No. 192, A., a bill for an act to amend chap. 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county."

No. 193, A., a bill for an act to provide for special terms of the circuit court in the county of Trempealeau.

No. 200, A., a bill for an act to repeal an act entitled "an act to amend chapter 59, of the Local Laws of 1855, entitled 'an act to incorporate the Beloit Gas Light and Coke Co.'"

No. 210, A., a bill for an act prescribing the mode of sales on judgments or orders of court in certain cases.

M. HOWLAND, *Ch'n.*

The select committee consisting of the members from Winnebago county to whom was referred the memorial of the county board of supervisors of Winnebago county, requesting that the county court of said county have jurisdiction in civil actions, report by bill.

GAB. BOUCK,
GEO. S. BARNUM.

Said bill being

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county ;

Was read twice, and

Placed on general file.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate refuses to concur in Assembly amendment to bill

No. 48, S., a bill for an act to amend an act, entitled "an act to prevent the sale of unripe cranberries," approved March 17th, 1859.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 153, S., a bill for an act to appropriate to A. L. Burke the sum of \$264 20.

I am further directed to return to the Assembly,

No. 17, S., a bill for an act to repeal chapter 201, of the General Laws of 1859, entitled, "an act to remit certain penalties imposed by section 59, of chapter 26, of the Revised Statutes, entitled, 'of school and university lands;'"

Returned to the Senate for correction of title.

MESSAGE FROM THE SENATE.

MR. SPEAKER :

I am directed to present to you for your signature,

No. 25, S., a bill for an act to repeal chapter 114, of the

General Laws of 1859, conferring civil jurisdiction upon the county court of Crawford county;

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital stock;

No. 83, S., a bill for an act to authorize the Bank of Oconto to reduce its capital stock;

M. C. No. 1, S., to Congress of the United States, in relation to the affairs of Indian tribes within the State of Wisconsin.

Said bills were signed by the Speaker.

THE SPECIAL ORDER.

Res. Nos. 59, 60, 61 and 62, A.,

Relative to the contested seat of Mr. Altenhofen,

Were taken up,

Pending which

Mr. DeWolf moved that the Assembly take a recess until 3 o'clock, P. M.

Which was disagreed to.

Mr. Bouck moved the previous question;

Mr. Griswold moved a call of the house;

Which was seconded.

The roll being called,

The following named gentlemen were found to be absent without leave.

Messrs. Dickson, Farwell, Goodwin, Hayden, Holton, Smith, VanderCook and Weage.

Mr. Horn, moved to dispense with further proceedings under the call.

Which motion did not prevail.

The sergeant-at-arms proceeded to summon the absentees.

REPORT OF THE SERGEANT-AT-ARMS.

The sergeant-at-arms reports that Messrs. Dickson, Farwell, Weage, Westby and Goodwin, are in their seats,

Mr. Holton is sick, and Messrs Hayden, Smith and VanderCook are not to be found, diligent inquiry having been made.

JOSEPH GATES, *Sergeant-at-Arms.*

On motion of Mr. Bouck,

The report of the Sergeant-at-Arms was accepted, and further proceedings under the call were dispensed with.

Mr. Bouck renewed his motion for the previous question.

The call was sustained.

And the question being, "shall the main question be now put?"

The previous question was ordered.

The question being on the adoption of
Resolution No. 59, A., as follows :

Resolved, That the Hon. Matthias Altenhofen is legally entitled to retain the seat which he now occupies as a member of this body ;

The ayes and noes were called for and ordered, and

The resolution was adopted by the following vote:

Messrs. Ahlhauser, Bachube, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Clise, Cole, Coles, Dockry, Elmore, Fairchild, Fischer, Golden, Griffin, Grover, Hartung, Hesk, Horn, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Lewis, Mackay, Meigs, Mulholland, Munn, Nash, Neville, Palmer, Patchin, Rankin, Robertson, Ruan, Schmitdner, Seaton, Simpson, Spottswood, Stannard, Sutton, Townsend, Whittlesey, Winter, Wood, Young and Mr. Speaker—55.

Those who voted in the negative, were

Messrs. Alden, Baldwin, Bartlett, Blackman, Bovay, Bunn, Burt, Child, Cobb, DeWolf, Dickson, Farwell, Goodwin, Griswold, Hammarquist, Horton, Howland, Langland, Miller, Mitchell, Moore, Ordway, Rogers, Sumner, Upson, Weage, Westby, Westcott, Wheeler and Whiting—30.

Mr. Elmore moved to lay

Res. Nos. 60, 61 and 62, A.,

On the table ;

Which was agreed to.

Mr. Brooks had leave of absence for three days.

On motion of Mr. Townsend,

The Assembly adjourned.

WEDNESDAY, FEBRUARY 15, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Walter officiated as chaplain.

On motion of Mr. Schmidtner,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Palmer,

Mr. Horn was granted leave of absence for two days.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Cobb :

Mem. No. 174, A., of W. S. Hughes and others, for a reduction in the rate of interest ;

To select committee having the matter in charge.

By Mr. Neville :

Mem. No. 175, A., of the board of supervisors of Brown county, for the reduction of State assessment of said county ;

To committee on State Affairs.

By Mr. Schmidtner ;

Mem. No. 176, A., of citizens of the city of Milwaukee, praying for modification of the Mechanic's Lien Law.

By Mr. Coles :

Mem. No. 177, A., of the citizens of the town of Freedom, in the county of Outagamie, for the repeal of certain laws, and to establish county commissioner system of government ;

To select committee under Res. No. 41, A.

By Mr. Schmidtner :

Mem. No. 178, A., of citizens of county of Milwaukee, respectfully praying the Senate and Assembly of the State of Wisconsin, to enact a law giving the swamp lands to actual settlers, signed by 234 citizens ;

To committee on State Lands.

ACCOUNT,

Presented and referred.

By Mr. Smith :

No. 58, A., the account of Amasa Cobb.

RESOLUTIONS INTRODUCED.

By Mr. Bouck:

Res. No. 78, A.,

Resolved, That the Judiciary committee be directed and instructed to report an amendment to the Constitution prohibiting cities, counties, towns and villages, from issuing their corporate bonds for any purpose whatever, except the payment and redemption of bonds issued previous to the first day of February, A. D. 1860;

Which lies over.

On motion,

Mr. Blackman was granted leave of absence for one day.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Ruan:

No. 292, A., a bill for an act to provide for the payment of mechanics and laborers employed on railroads and canals, and other public works in this State;

To committee on the Judiciary.

By Mr. Sumner:

No. 293, A., a bill for an act to incorporate the Hesperian Literary Society, of Baraboo, Wisconsin;

To committee on Incorporation.

By Mr. Hammarquist:

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

To committee composed of the Jefferson county delegation.

By Mr. Cobb:

No. 295, A., a bill for an act to amend section 145, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

To committee on the Judiciary.

By Mr. Schmidtner:

No. 296, A., a bill for an act to authorize the Governor to

appoint an Executive Building Committee, and to define their duties;

To committee on Claims.

By Mr. Bunn:

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes in the county of Trempeleau;

To committee of the whole.

REPORTS OF COMMITTEES.

The undersigned, a minority of the joint committee on Claims, to whom was referred the account of A. L. Burke, respectfully dissenting from the conclusion to which the majority have arrived, begs leave to report:

That about the middle of April last, A. L. Burke, *stimulated* by the proclamation of the Governor of \$300 reward to any person apprehending and delivering a certain fugitive who had fled from justice, to the sheriff of LaFayette county, received a commission from the Governor, as agent to receive said fugitive, and a requisition upon the Governor of Pennsylvania to deliver said fugitive to said A. L. Burke. Said Burke proceeded with said requisition to Pennsylvania, remanded, and brought back said fugitive, and delivered him to the sheriff of LaFayette county, in accordance with the proclamation of the Governor, and received \$100 of the reward, and assurances of the payment of the remaining \$200. Said Burke now presents his claim to this Legislature for expenses incurred in placing himself in condition to demand the reward. The claim made upon the State amounts to \$485, and being referred to the joint committee on Claims, the majority have reported in favor of allowing said Burke the sum of \$264, which sum includes payment for all the time said Burke spent from the day he received said requisition until he made his return to the Governor; also traveling expenses, procuring requisition, and returning the same from LaFayette county, also expense of horse hire and police of \$100, in ferreting out and apprehending said fugitive, and mileage of 1800 miles.

The exceptions taken to the majority report, are these:

1st. That it is a proper account to be settled by the Governor, and that it is one of the ends sought in appropriating an amount to the Governor as contingent fund.

2d. That no person can act under the authority of the State, at an unlimited expense, to ferret out and apprehend a fugitive, for the purpose of availing himself of the reward. If such a precedent were established, cases might occur in which the

State would be involved in enormous expenses by the inducement held out in the reward.

3d. That the construction of the law is, that the fugitive is supposed to be in custody in the State of Pennsylvania, and that no expense (*if any*) should be allowed said Burke, except those incurred in actually serving the requisition upon the Governor of Pennsylvania, and receiving and delivering said fugitive to the sheriff of LaFayette county. It will be admitted that Mr. Burke should be liberally rewarded for his diligence in executing the papers, but at the same time, it must be acknowledged that it was *competent* for Mr. Burke to elect either—to act entirely in consideration of his per diem and mileage, or in consideration of the reward offered.

The expenses actually incurred, in serving the requisition, and conveying the prisoner to Lafayette county, as near as can be ascertained by the bill of items furnished, are \$100, which amount in the opinion of the undersigned, is the amount which should be allowed said Burke, if any over and above the reward.

The undersigned, in making this report has no personal feelings in the matter, as he is a stranger *comparatively speaking*, nor does he desire to discourage Mr. Burke in those noble deeds of *daring*, but feels compelled to discharge the trust committed to him with fidelity.

All of which is respectfully submitted.

HEBER SMITH, *Ch'n.*

The committee on Legislative Expenditures to whom was referred bill

No. 10, S., a bill for an act to permanently fix the compensation of the officers and employees of the Legislature;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend its passage.

ORAN ROGERS, *Ch'n.*

The committee on Claims to whom was referred accounts,

No. 41, A., the account of Harrison Reed, for balance due for services as chief clerk of the Investigating committee 1858;

No. 57, A., the account of Andrew Bishop and assistants, for services performed as sheriff, crier, and door-keeper for Supreme Court;

Have had the same under consideration, and report them back by bills,

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96;

No. 299, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

And recommend that said bills do pass.

Also,

No. 290, A., a bill for an act to appropriate to Messrs. Hitchcock & Co., the sum of \$1,242 25;

Have had the same under consideration, and report it back with the recommendation that said bill do pass.

HEBER SMITH, *Ch'n.*

Bills No's. 298, and 299,

Were read first and second times and placed on the general file.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed :

No. 49, A. a bill for an act concerning mortgages to the State on school lands in the city of Racine ;

No. 138, A., a bill for an act to restore William Green to citizenship ;

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company of the city of Madison," approved March 19, 1859 ;

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors.

M. HOWLAND, *Ch'n.*

The committee on Claims, to whom was referred account

No. 27, A., the account of George Theiss, sheriff of Sheboygan county, for conveying convicts to State Prison ;

Have had the same under consideration, and report it back by bill

No. 300, A., a bill for an act to appropriate to George Theiss the sum of \$73 75 ;

And recommend said bill do pass.

HEBER SMITH, *Ch'n.*

No. 300, A.,

Was read twice, and placed on the general file.

The committee on Ways and Means to whom was referred

No. 284, A., entitled "an act to establish the name of Ellie Metcalf ;"

Have examined the said bill and recommend its passage.

S. JUDD, *Ch'n.*

The committee on Education, School and University Lands to whom was referred

No. 289, A., a bill for an act to amend chap. 97, of the Private and Local Laws of 1859, entitled "an act to amend chap. 93, of the Private and Local Laws of 1858, entitled 'an act to

consolidate and amend an act to incorporate the city of Portage, and the several acts amendatory thereof ;”

Have had the same under consideration, and direct me to report it back with the recommendation that it do pass.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Mem. No. 170, A., petition of Samuel Steel and 14 others, of the town of Mount Pleasant, Racine county, in favor of extending the time for payment of school land certificates ;

Also

Mem. No. 178, A., remonstrance to bill No. 219, to annex certain territory to Geneva school district No. 1 ;

Have had the same under consideration, and respectfully report them back with recommendation of indefinite postponement.

EDWARD D. HOLTON, *Ch'n.*

The committee on Town and County Organization to whom was referred

No. 165, A., a bill for an act to incorporate the village of Pepin ;

Have had the same under consideration, and report the same back with a substitute, and recommend the adoption of the substitute, and its passage when adopted.

J. P. DICKSON,
ELVA SIMPSON.

The committee on State Affairs to whom was referred

No. 108, A., a bill for an act to amend chap. 48, of the Revised Statutes, entitled “ of strays, and lost money and goods ;”

Have had the same under consideration, and report the same back, and recommend passage of substitute.

L. J. FARWELL,
L. A. SCHMIDTNER,
M. MITCHELL.

A majority of the committee on State Affairs to whom was referred

No. 116, A., a bill for an an act to authorize the Governor to appoint commissioners of foreign emigration ;

Have had the same under consideration, and report the same back, and recommend passage of substitute.

L. A. SCHMIDTNER,
JNO. C. NEVILLE,
R. C. ROBERTSON,
M. MITCHELL.

The joint committee on Enrolled Bills report that on the 15th inst. they presented to the Governor for his approval, the following bills viz :

No. 243, A., a bill for an act to extend the time for the payment of State and county taxes in the city of Racine, for the year 1859.

No. 270, A., a bill for an act to authorize the levying of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake.

No. 176, A., a bill for an act to authorize the State Superintendent of Public Instruction to apportion certain school money to the city of Mineral Point.

No. 82, S., a bill for an act to authorize the Tradesman's Bank to reduce its capital stock.

No. 83, S., a bill for an act to authorize the Bank of Oconto to reduce its capital stock.

No. 25, S., a bill for an act to repeal chapter 114, of General Laws of 1859, conferring civil jurisdiction upon the county court of Crawford county.

M. C. No. 1, S., a memorial to the Congress of the United States in relation to the affairs of Indian tribes within the State of Wisconsin.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled :

No. 205, A., an act to amend chapter 274, of the General and Special Statutes of 1850, entitled an act granting to Jas. B. Miller the right to keep and maintain a ferry across the Wisconsin river at Dekora, in the county of Columbia.

C. MILLER, *of Com.*

Said bill was signed by the Speaker.

Mr. DeWolf asked leave to introduce a resolution.

Mr. Elmore objected, but subsequently withdrew the objection.

Mr. DeWolf introduced

Res. No. 79, A..

Resolved, by the Assembly, the Senate concurring, That the Superintendent of the State Institution for the education of the blind, be and is hereby requested to appear with a class of his pupils in this hall, on Monday next, at 7 o'clock, P. M., for the purpose of exhibiting the progress of said pupils in their various school branches, before the Legislature ; and that the

Sergeant-at-Arms be required to make suitable arrangements in the hall for such exhibition.

On motion of Mr. DeWolf;

The rules were suspended for the purpose of considering said resolution.

Mr. Smith moved to amend by striking out all after the word "Legislature," and insert "provided no expense be incurred by the State;"

Which was not agreed to ;

And the question occurring on the adoption of the resolution ;

It was lost.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 134, A., a bill for an act to appropriate to S. R. Fox the sum of \$138 98;

No. 136, A., a bill for an act to appropriate to C. W. Bennett the sum of \$64;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20;

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50;

No. 207, A., a bill for an act to appropriate to Charles H. Luce the sum of \$189 84;

No. 208, A., a bill for an act to appropriate to B. W. Suckow the sum of \$91 65;

No. 215, A., a bill for an act to appropriate to William G. Everitt the sum of \$157 51;

No. 244, A., a bill for an act to appropriate to A. Burnham, Jr., the sum of \$18;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39;

No. 246, A., a bill for an act to appropriate to George Paine the sum \$136 67;

No. 247, A., a bill for an act to appropriate to Wright and Paine the sum of \$44 63;

No. 248, A., a bill for an act to appropriate to D. R. Clement the sum of \$41 ;

No. 250, A., a bill for an act to appropriate to William J. Gill the sum of \$30;

No. 265, A., a bill for an act to appropriate to A. P. Lipe, the sum of \$44;

No. 266, A., a bill for an act to appropriate to Edmund Gibbs, the sum of \$210 21;

No. 267, A., a bill for an act to appropriate to D. C. Poole, the sum of \$10 07;

No. 268, A., a bill for an act to appropriate to E. Martin, the sum of \$30;

No. 7. A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

J. Res. No. 22, A.,

Ordering Governor's Message and other documents in the Norwegian language from Superintendent of Public Property;

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in,

No. 36, S., a bill for an act providing for grand and petit jurors in this State, and to amend sections 3, 8, and 13, chapter 118, Revised Statutes, entitled "of grand and petit jurors;"

No. 95, S., a bill for an act to appropriate to James Livsey the sum of \$534 56;

No. 102, S., a bill for an act to appropriate to Hudson Fox the sum of \$125;

No. 103, S., a bill for an act to appropriate to John D. Welch the sum of \$40 50;

No. 131, S., a bill for an act to appropriate to Candee, Dible & Co., the sum of \$235 38;

No. 141, S., a bill for an act to appropriate to Alexander McDowell the sum of \$24 90;

No. 154, S., a bill for an act to appropriate to Simon Sekles the sum of \$66;

No. 75, S., a bill for an act to amend chapter 205, of General Laws of 1859, entitled "an act to repeal so much of chapter 28, of the Revised Statutes as authorizes or directs the appraisal of the school or university lands," approved March 21, 1859;

Bills Nos. 36, 95, 102, 103, 131, 141, 154, 75, 153 and

No. 134, S., an act to appropriate to the State Prison committee the sum therein named;

Were read twice and placed in the general file, except

No. 96, S.,

Which was referred to the committee on the Judiciary; and

No. 134, S.,

Which, the rules having been, on motion of Mr. Miller, suspended for that purpose,

Was read the third time, and passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langlad, Lewis, Mackay, Miller, Mitchell, Moore, Mulholland Munn, Nash, Neville, Ordway, Palmer, Patchin, Robertson, Rogers, Ruan, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker —80.

None voted in the negative.

THE SENATE MESSAGE

Of yesterday taken up.

The Assembly concurred in the report of the committee of conference on,

No. 7, S., a bill for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment therefor;

The Assembly refused to recede from its amendment to

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859;

The vote by which

No. 258, A., a bill for an act to appropriate to the officers and employees of the Assembly of 1860, a certain sum of money;

Was passed, was reconsidered;

And,

No. 258, A.,

Was indefinitely postponed.

On motion of Mr. Barnum,

The rules were suspended, and

No. 235, A., a bill for an act to amend an act entitled "an act to amend an act to incorporate the village of Omro;"

Was taken from the general file,

Read a third time, and passed,

And the title agreed to.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, Wis., Feb. 15, 1860.

To the Honorable the Assembly:

I have received resolution No. 75, A., requesting that I "communicate to the Assembly an account of the expenditures of the standing appropriation to the State Agricultural Society for the year 1859, as contained in the report required by law to be made annually by the Executive Committee of said Society.

On the 8th day of February, 1860, I transmitted to the Legislature, through the Senate, the account referred to, which was printed in the Senate journal of that date, to which I beg leave to refer. I send herewith a copy of the same.

ALEX. W. RANDALL.

BILLS READY FOR A THIRD READING.

No. 156, A., a bill for an act to amend section 16, of chapter 35, of the Revised Statutes, entitled "of excise;"

Was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Beath, Bouck, Bovay, Bow, Bugh, Bunn, Clise, Cobb, Cole, Dickson, Dockry, Fairchild, Farwell, Fischer, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Jackson, Judd, Langland, Lewis, Mackay, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Simpson, Smith, Sumner, Townsend, Upon, Weage, Wescott, Whittlesey, Winter, Young and Mr. Speaker—56.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Barnum, Boyd, Burt, Child, Coles, DeWolf, Elmore, Golden, Humann, Hunkins, Johnson, Keogh, Kiefer, Meigs, Miller, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Spottswood, Stannard, Sutton, VanderCook, Westby, Wheeler, Whiting and Wood—31.

On motion of Mr. Upson;

The rules were suspended, and

No. 66, A., a bill for an act to divide the town of Wheatland, and create the town of Randall, in the county of Kenosha;

Was taken up.

Pending which,

Mr. Goodwin moved to postpone the further consideration thereof until to-morrow;

Which was disagreed to.

The bill was then lost by the following vote :

Those who voted in the affirmative were

Messrs. Bovay, Bunn, Goodwin, Hammarquist, Horton, Sumner, Upson, Wescott, Whiting and Mr. Speaker—10.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Bugh, Burt, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Griffin, Griswold, Grover, Hartung, Hayden, Hesk, Howland, Humann, Hunkins, Jackson, Johnson, Kiefer, Langland, Lewis, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, VanderCook, Weage, Westby, Wheeler, Winter, Wood and Young—65.

On motion of Mr. Hunkins,

The Assembly adjourned.

THURSDAY, FEBRUARY 16th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Peck officiated as chaplain.

On motion of Mr. Weage,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Hunkins :

Mem. No. 179, A., of C. L. Green and 69 others, citizens of Brookfield, Waukesha county, for a tax on dogs ;

To committee on State Affairs.

By Mr. Stannard :

Mem. No. 180, A., of 160 legal voters of Sheboygan county, for removal of county seat ;

To committee on Town and County Organization.

By Mr. Bunn :

Mem. No. 181, A., for an act to strike certain territory from the county of Buffalo and attach the same to the county of Pepin ;

To committee on Town and County Organization.

By Mr. Coles :

Mem. No. 182, A., remonstrance of John Jewett and 50 others, against attaching any portion of the territory of the city Appleton to the town of Grand Chute ;

To committee on Town and County Organization.

By Mr. Mackay :

Mem. No. 183, A., remonstrance of Daniel Sullivan and 43 others, against removal of county seat of Lafayette county ;

To committee on Town and County Organization.

By Mr. Townsend :

Mem. No. 184, A., of Dennis Boyle and 50 others, against the removal of the county seat of Lafayette county ;

To committee on Town and County Organization.

ACCOUNT,

Presented and referred.

By Mr. Fairchild :

No. 59, A., the account of S. G. Benedict.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred ;

By Mr. Bouck :

No. 301, A., a bill for an act to appropriate to Mitchell L. Delaney, the sum of \$115 30 ;

To committee on Claims.

By Mr. Goodwin :

No. 302, A., a bill for an act to vacate certain lots in the village of the "Town of the Island," in Winnebago county ;

To committee on Incorporations.

By Mr. Lewis :

No. 303, A., a bill to enable the city of Fond du Lac, to settle with its bondholders ;

To committee on Incorporations.

By Mr. Schmidtner :

No. 304, A., a bill to authorize the second ward of Milwaukee, to issue ward bonds to apply on a certain contract for filling and improving the public square in block No. 165, in said ward of Milwaukee ;

To committee composed of the Milwaukee delegation.

By Mr. Palmer :

No. 305, A., a bill to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 3d, 1854 ;

To committee on the Judiciary.

By Mr. Rogers :

No. 306, A., a bill for an act for the relief of Sheboygan county ;

To committee on the Judiciary.

By Mr. DeWolf :

No. 307, A., a bill for an act to abolish the office of town superintendent of common schools, and create the office of county superintendent of common schools ;

To committee on Education.

REPORTS OF COMMITTEES.

The committee on railroads, to whom was referred bill

No. 282, A., a bill for an act to amend chapter 409, of the Private and Local Laws of Wisconsin for the year 1856, entitled "an act to incorporate the Ripon and Wolf River Railroad ;"

And also bill

No. 24, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison Railroad ;

Have had the same under consideration, and instructed me to report the same back with the recommendation that the same do pass.

WM. E. WHEELER, *Ch'n.*

The committee on Ways and Means, to whom was referred

No. 275, A., an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes ;"

Have examined the same and recommend its passage.

S. JUDD, *Ch'n.*

The joint committee on State Prison, in the discharge of their duty, have visited and examined the State Reform School, and beg leave to submit the following report :

Your committee, after a careful and thorough examination of the State Reform School buildings and grounds, and a complete comparison of the commissioner's accounts, vouchers, contracts, and last report, are gratified in being able to report favorably of each. The building is of the most substantial and durable character, in materials and structure, and of very convenient and judicious internal arrangement.

The choice of location is deemed most appropriate, and highly creditable to the judgment of the commissioners. A thorough inspection of the various bids which were received for doing the work, and a comparison of all, with those accepted by the commissioners, convinced your committee of the sound economy exercised in contracting for the erection and completion of the building. The accounts, vouchers, and last report of the commissioners were fully examined and compared and found to be correct. It will be seen, by reference to the commissioners' last report, that the building is rapidly approaching completion, and that to liquidate present indebtedness, and to meet existing contracts for the completion of the building and to provide for slight contingent expenses, will require an appropriation of fifteen thousand dollars; the granting of which is recommended.

In furnishing the building, your committee would recommend that the Board of Commissioners of the State Reform School, be instructed to purchase of the State Prison Commissioner all such articles, of prison manufacture, as can be obtained and used, for the purpose of the complete furnishing of said building. All of which is respectfully submitted.

O. F. BARTLETT, *Ch'n of Senate Com.*

ALBERT ALDEN, *Ch'n of Assem. Com.*

CLARKSON MILLER.

Said bill, being

No. 308, A., a bill to appropriate to the Commissioners of the "State Reform School" the sum of money therein named; Was read twice, and referred to the committee on Claims.

The committee on Claims, to whom was referred accounts

No. 6, A., the account of Hiram A. Stone, sheriff of Walworth county, for arresting Porter Ross, on the Governor's warrant;

Have had the same under consideration, and report it back with the recommendation that the owner have leave to withdraw for the reason that it is not a charge against the State, but a proper charge against the county of Walworth;

No. 58, A., the account of Amasa Cobb, adjutant general, for disbursements and expenses of office for 1859;

Have had the same under consideration and report it back by bill;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 83;

And recommend that said bill do pass.

HEBER SMITH, *Ch'n.*

Said bill was read twice, and placed on general file.

The committee on the Judiciary, to whom was referred bill No. 287, A., "a bill for an act to amend section 55, of chapter 133, of the Revised Statutes, entitled of costs and fees;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 182, A., "a bill for an act relating to proceedings in probate courts;"

And

No. 286, A., "a bill for an act to amend section 2, of chapter 134, of the Revised Statutes, entitled of executions and proceedings supplementary thereto;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clauses thereof be severally stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

J. Res. No. 10, A.,

"Joint resolution proposing to amend section 11, of article 4, of the Constitution;"

J. Res. No. 12, A.,

"Relating to proposed amendment of the Constitution;"

And

Mcm. No. 120, A., "petition of James A. Williams, Henry Davis and others, for biennial sessions of the Legislature;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that they be severally referred to a select committee of nine, to whom all matters relating to proposed amendments of the Constitution coming before the Assembly during the present session, be referred.

AMASA COBB, *Ch'n.*

Said resolutions and memorial were referred to select committee of nine to be appointed.

The committee on the Judiciary to whom was referred

No. 177, A., a bill for an act to amend sec. 8, of chap. 116, of the Revised Statutes, entitled "of the circuit courts ;"

And

No. 288, A., a bill for an act to amend sec. 25, of chap. 121, of the jurisdiction of justices in criminal cases and of the proceedings therein ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend their passage without amendment.

AMASA COBB, *Ch'n.*

The amendment reported by the Judiciary committee on the 9th inst. to

No. 177, A.,

Was agreed to, and

The bill ordered engrossed.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and a majority of the committee (Mr. Cobb dissenting,) have instructed me to report the same back to the Assembly, and recommend that the enacting clauses thereof respectively, be stricken out :

No. 204, A., a bill for an act to define the qualification of electors in certain cases.

No. 274, A., a bill for an act to amend sec. 87, of chap. 18, of the Revised Statutes, entitled "of counties and county officers."

H. L. PALMER.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find them correctly enrolled:

No. 265, A., a bill for an act to appropriate to A. P. Lipe the sum of \$44;

No. 267, A., a bill for an act to appropriate to D. C. Poole the sum of \$41 07 ;

No. 250, A., a bill for an act to appropriate to William J. Gill the sum of \$30;

No. 136, A., a bill for an act to appropriate to C. W. Bennett the sum of \$65;

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50;

No. 208, A., a bill for an act to appropriate to B. W. Suckow the sum of \$91 65;

No. 244, A., a bill for an act to appropriate to A. Burnham the sum of \$18;

No. 246, A., a bill for an act to appropriate to George Paine the sum of \$136 67;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39;

No. 215, A., a bill for an act to appropriate to William G. Everitt the sum of \$157 50;

No. 145, A., an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20;

No. 266, A., an act to appropriate to Edmund Gibbs the sum of \$210 21;

No. 268, A., an act to appropriate to E. Martin the sum of \$30;

No. 248, A., an act to appropriate to D. R. Clements the sum of \$41;

No. 247, A., an act to appropriate to Wright and Paine the sum of \$44 63;

No. 134, A., an act to appropriate to S. R. Fox the sum of \$133 93;

No. 207, A., an act to appropriate to Charles H. Luce the sum of \$189 84.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to present to you for signature,

No. 134, S., an act to appropriate to the State Prison commissioners the sum therein named.

Said bill was signed by the Speaker.

BILLS ON THIRD READING.

No. 68, S., a bill for an act to amend chapter 97, of the Laws of 1849, being the charter of Carroll College;

Was read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 49, A., a bill for an act concerning mortgages to the State on school lands in the city of Racine;

No. 188, A., a bill for an act to restore William Greeno to citizenship;

No. 180, A., a bill for an act to amend section 1, of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of forfeited lands ;"

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county ;"

No. 200, A., a bill for an act to repeal an act entitled "an act to amend chapter 59, of the Local Laws of 1855, entitled an act to incorporate the Beloit Gas Light and Coke Company ;"

No. 210, A., a bill for an act prescribing the mode of sales in judgments or orders of court, in certain cases ;

And,

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors ;.

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company of the city of Madison," approved March 19, 1859 ;

Was referred to committee on Incorporation.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

Considered.

No. 71, A., a bill for an act relating to executions on final judgment ;

Was ordered engrossed for a third reading,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barnum, Bartlett, Beath, Bovay, Bow, Boyd, Burt, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Griffin, Grover, Hartung, Hayden, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Mitchell, Mulholland, Munn, Nash, Ordway, Robertson, Rogers, Schmidtnr, Simpson, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Barden, Bouck, Bunn, Child, Clise, Cobb, DeWolf, Goodwin, Griswold, Hammarquist, Johnson, Keoge, Moore, Neville, Palmer, Rankin, Ruan, Seaton, Smith, Spottswood, and Westby—21.

Mr. Elmore gave notice that on to-morrow he should move to refer

No. 71, A.,

To the committee on the Judiciary, with instruction to perfect said bill.

No. 24, A., a bill for an act to repeal sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61, of chapter 158, of the Revised Statutes, entitled "of the writ of habeas corpus relative to fugitive slaves ;"

The question being on striking out the enacting clause,
Mr. Miller moved to lay the whole subject on the table ;

Which was agreed to,

By the following vote :

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bovay, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Fischer, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Hunkins, Johnson, Judd, Langland, Lewis, Miller, Mitchell, Moore, Nash, Ordway, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—51.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hartung, Hesk, Humann, Jackson, Keogh, Kiefer, Mackay, Maulholland, Munn, Neville, Palmer, Patchin, Rankin, Ruan, Schmidtnr, Seaton, Simpson, Sutton, Townsend, Wiley and Winter—35.

No. 167, A., a bill for an act entitled "an act to amend section 6, of chapter 134, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto ;"

The enacting clause was stricken out.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills ;

Mr. Bartlett in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 99, A., a bill for an act to amend sections 35 and 40, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries ;"

With substitute.

No. 72, S., a bill for an act to appropriate to Alexander W. Randall, Governor of the State of Wisconsin, as a contingent fund for A. D., 1860, the sum of \$10,000;

With recommendation that the rules be suspended and the bill passed.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The substitute to No. 99, A.,

Was adopted,

And said bill ordered engrossed for a third reading.

The rules were suspended, and

No. 72, S.,

Was read a third time and concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bovay, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griswold, Grover, Hammarquist, Hartung, Holton, Horton, Howland, Hunkins, Jackson, Kiefer, Langland, Meigs, Miller, Mitchell, Moore, Munn, Nash, Palmer, Patchin, Robertson, Rogers, Schmidtnr, Simpson, Smith, Spottswood, Stahnard, Sumner, Townsend, Upson, VanderCook, Wescott, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—59.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Beath, Bouck, Bow, Boyd, Golden, Griffin, Humann, Keogh, Mackay, Mulholland, Ordway, Rankin, Seaton, Sutton, Westby and Wheeler—19.

REPORT.

The joint committee on Enrolled bills, report that on this, 16th February, inst., they presented to the Governor, for his approval, the following bills, to-wit:

No. 205, A., a bill for an act to amend chapter 274, of the General and Special Statutes of 1850, entitled "an act granting to James B. Miller the right to keep and maintain a ferry across the Wisconsin river, at Dekorra, in the county of Columbia;"

No. 184, S., a bill for an act to appropriate to the State Prison commissioner the sum therein named.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

On motion of Mr. Miller,

The Assembly adjourned.

FRIDAY, FEBRUARY 17, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston, officiated as chaplain.

The reading of the journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence:

Messrs. Humann, Baldwin, Weage, Horton, Ordway, Griffin, Nash, Barden, Coles and Smith, until Tuesday next;

Mr. Boyd, until Wednesday next;

Mr. Hayden, for two days.

The Speaker announced as the select committee on J. Res. No's. 10 and 12, A.;

Relative to proposed amendment to the Constitution;

Messrs. Bovay, Griswold, Bouck, Palmer, Whiting, Hunkins, Bartlett, Seaton and Young.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Rankin :

Mem. 185, A., of L. S. House and others, to repeal chapter 128, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Two Rivers, in the county of Manitowoc ;"

To committee on Incorporations.

By Mr. Griswold :

Mem. No. 186, A., of H. J. Sill and 23 others, for the repeal of an act conferring jurisdiction on the county court of Columbia county ;

And

Mem. No. 187, A., of James G. Foster and 18 others, for the repeal of an act conferring civil jurisdiction on the county court of Columbia county ;

And

Mem. No. 188, A., of W. B. Knapp and 65 others, for the repeal of the act conferring civil jurisdiction on the county court of Columbia county ;

And

Mem. No. 189, A., of John S. Lewis and 214 others, for

the repeal of the act conferring civil jurisdiction on the county court of Columbia county ;

Which were severally referred to the Columbia county delegation.

By Mr. Palmer:

Mem. No. 190, A., of the common council of the city of Milwaukee, praying for the passage of a law providing for a summary remedy against railroad companies making default in the payment of interest or principal of corporate bonds issued to such companies ;

To committee on the Judiciary.

By Mr. Stannard:

Mem. No. 191, A., of 69 legal voters of Sheboygan county, for removal of county seat;

To committee on Town and County Organization.

By Mr. Cole:

Mem. No. 192, A., of Wm. Hannan and 90 other voters of LaFayette county, asking for removal of county seat of said county;

To committee on Town and County Organization.

By Mr. Bartlett:

Mem. No. 193, A., of residents of Pepin county against the passage of an act incorporating the village of Pepin;

To committee on Town and County Organization.

ACCOUNTS

Presented and referred to committee on Claims :

By Mr. Holton:

No. 60, A., the account of Henry Seifert.

By Mr. Judd:

Affidavit of John Taylor in support of the claim of Seymour Wilcox ;

To accompany Mem. No. 159, A.

RESOLUTIONS INTRODUCED.

By Mr. Holton:

Res. No. 80, A.,

Resolved, That the committee on State Affairs be required to inquire into the question whether this hall is well and sufficiently ventilated, and if not to cause the same to be done without delay;

Which being of a privileged character,

The question was taken, and

The resolution adopted.

By Mr. Kiefer:

Res. No. 81, A.,

Whereas, The members occupying seats near the door and stoves are much annoyed by the lobby members of this Legislature; and

Whereas, We are, in consequence of such annoyance, unable to hear the eloquent remarks of gentlemen in the front, and also unable to hear the reading of bills by chairman of the committee of the whole; therefore

Resolved, That the Sergeant-at-Arms be, and is hereby, instructed to furnish such lobby members with rooms in which to caucus, crack nuts, eat apples, &c., &c., such rooms to be provided with fires, furniture, and other fixtures necessary to the comfort and convenience of such lobby members;

Which, being of a privileged character,

The question was taken, and

The resolution was lost.

RESOLUTIONS CONSIDERED.

Res. No. 78, A.,

Instructing committee on the Judiciary to report an amendment to the constitution;

Introduced by Mr. Bouck on the 15th inst.

Mr. Ordway moved to strike out the words "Judiciary committee," and insert "select committee of nine;"

Which was agreed to, and

The resolution as amended was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Speaker:

No. 810, A., a bill for an act amendatory of, and supplemental to, an act entitled "an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive;" approved February 10th, 1860;

On motion of Mr. Speaker,

The rules were suspended, and

No. 810, A.,

Was read a third time, and passed, and title agreed to.

By Mr. Fairchild:

No. 811, A., a bill for an act for the preservation of fish;

To committee on the Judiciary.

By Mr. Fairchild :

No. 312, A., a bill for an act for the preservation of game ;
To committee on the Judiciary.

By Mr. Palmer:

No. 313, A., a bill to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a House of Refuge for Juvenile delinquents in the State of Wisconsin;

To committee on the Judiciary.

By Mr. Goodwin:

No. 314, A., a bill for an act to amend section 28, of chapter 13, of the Revised Statutes, to confer additional powers on the county board of supervisors;

To committee on Town and County Organization.

By Mr. Schmidtner:

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Revised Statutes, entitled "of prisons generally and common jails;"

To committee on the Judiciary.

By Mr. Goodwin:

No. 316, A., a bill for an act to amend section 12, of chapter 140, of Revised Statutes, relative to entries of judgment on warrant of attorneys;

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Claims, to whom were referred accounts, No. 52, A., the account of Church & Hawley, for furnishing and repairing furniture for the State;

No. 59, A., the account of S. G. Benedict, for seal furnished the Attorney General's office, for use of the State;

Have had the same under consideration and report them back by bills,

No. 317, A., a bill for an act to appropriate to Church & Hawley the sum of \$198 61;

No. 318, A., a bill for an act to appropriate to S. G. Benedict, the sum of \$10;

And recommend that said bills do pass.

Also,

No. 301, A., a bill for an act to appropriate to Mitchel L. Delaney, the sum of \$115 30:

And report it back without recommendation.

HEBER SMITH, *Ch'n.*

Bills No's. 317 and 318, A.,
Were read first and second times and placed on the general file.

The committee on Engrossed Bills respectfully report, that they have examined the following bill and find it correctly enrolled under rule 48:

No. 71, A., a bill for an act relating to executions on final judgment.

M. HOWLAND, *Ch'n.*

BILLS ON THEIR THIRD READING.

No. 71, A., a bill for an act relating to executions on final judgment;

Was read a third time, and

On motion of Mr. Elmore,

Was referred to a select committee of three.

The Speaker announced as such committee,

Messrs. Elmore, Judd and Goodwin.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, February, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to appropriate to Simon Sekles the sum of \$183;

An act to provide for holding the first term of the circuit court of the county of Iowa, for the year 1860;

An act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856, to 1859, inclusive;

An act to extend the time for the collection of taxes in the city of Madison;

An act to limit the liability of counties in certain cases;

An act to authorize towns to assess and collect additional school moneys in certain cases, and the town clerk to certify thereto;

An act to appropriate to Bliss, Eberhard & Festner the sum of \$427 53;

An act to appropriate to R. T. Lawton the sum of \$162;

An act to appropriate to Donaldson & Treadway the sum of \$172 50;

An act to authorize the State Superintendent of Public In-

struction to apportion certain school money to the city of Mineral Point;

An act to extend the time for the payment of State and county taxes in the city of Racine, for the year 1859;

An act to authorize the levying of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;

An act to appropriate to S. R. Fox the sum of \$188 98;

An act to appropriate to C. W. Bennett the sum of \$65;

An act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20;

An act to amend chapter 274, of the General and Special Statutes of 1850, entitled an act granting to Jas. B. Miller the right to keep and maintain a ferry across the Wisconsin river at Dekora, in the county of Columbia;

An act to appropriate to Josiah Woodworth the sum of \$16 50;

An act to appropriate to Charles H. Luce the sum of \$189 84;

An act to appropriate to B. W. Suckow the sum of \$91 65;

An act to appropriate to William G. Everitt the sum of \$157 51;

An act to appropriate to A. Burnham, Jr., the sum of \$18;

An act to appropriate to John F. Lessey the sum of \$39;

An act to appropriate to George Paine the sum \$136 67;

An act to appropriate to Wright & Paine the sum of \$44 63;

An act to appropriate to D. R. Clement the sum of \$41;

An act to appropriate to William J. Gill the sum of \$30;

An act to appropriate to A. P. Lipe, the sum of \$44;

An act to appropriate to Edmund Gibbs, the sum of \$210 21;

An act to appropriate to D. C. Poole, the sum of \$10 07;

An act to appropriate to E. Martin, the sum of \$30.

ALEX. W. RANDALL.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate insists upon its disagreement to Assembly amendment to bill

No. 48, S., a bill for an act to amend an act, entitled "an act to prevent the sale of unripe cranberries," approved March 17th, 1859;

And asks a committee of conference, and has appointed, on part of the Senate, Senators Curtis and Eagan.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 70, S., a bill for an act relating to the publication of legal notices.

I am further directed to present to you for signature,

No. 72, S., an act to appropriate to Alex. W. Randall, Governor of the State of Wisconsin, the sum of \$10,000 as a contingent fund for the year A. D. 1860;

Said bill was signed by the Speaker.

On motion of Mr. Bouck,

The Assembly resolved itself into the

COMMITTEE OF THE WHOLE

On the general file of bills,

Mr. Goodwin in the chair:

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 95, S., a bill for an act to appropriate to James Livesey the sum of \$534 56.

No. 102, S., a bill for an act to appropriate to Hudson Fox the sum of \$125.

No. 108, S., a bill for an act to appropriate to John D. Welch the sum of \$40 50.

No. 131, S., a bill for an act to appropriate to Candee, Dibble & Co. the sum of \$235 38.

No. 141, S., a bill for an act to appropriate to Alexander McDowell the sum of \$24 90.

No. 154, S., a bill for an act to appropriate to Simon Sekles the sum of \$66.

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads constructed by companies incorporated by special acts of the Legislature.

No. 241, a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan Bridge Company;"

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859;

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner & Bruno, the sum of \$650;

No. 282, A., a bill for an act to amend chapter 409, of the Private Laws of Wisconsin for the year 1856, entitled "an act to incorporate the Ripon and Wolf river railroad;

No. 284, A., a bill for an act to establish the name of Ellie Metcalf;

No. 288, A., a bill for an act to amend section 25, of chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings thereon;"

No. 290, A., a bill for an act to appropriate to Hitchcock & Co. the sum of \$1,242 25 ;

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 93, of the Private and Local Laws of 1858, entitled an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;"

No. 297, A., a bill for an act to legalize the sale of lands for unpaid taxes in the county Trempeleau;

No. 299, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

No. 800, A., a bill for an act to appropriate to George Theis the sum of \$78 75;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

And

Mem. C. No. 3, A., memorial to the Post Master General of the United States, for re-instatement of weekly mail service on mail route 18,088, from Bayfield, in LaPointe county, to Chippewa Falls, in the county of Chippewa;

Without amendment.

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

And,

No. 287, A., a bill for an act to amend section 55, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

With amendments.

No. 165, A., a bill for an act to incorporate the village of Pepin;

With recommendation of recommitment to committee on Town and County Organization.

No. 286, A., a bill for an act to amend section 206 of chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

With recommendation that the enacting clause be stricken out.

No. 217, A., a bill for an act to vacate part of village plat of Sacramento, in Green Lake county;

And,

No. 220, A., a bill for an act to vacate the plat of the village of Otterville, in Sauk county;

With recommendation of indefinite postponement.

No. 75, S., a bill for an act to amend chapter 205, of Gen-

eral Laws of 1859, entitled "an act to repeal so much of chapter 28, of the Revised Statutes as authorizes or directs the appraisal of the school or university lands," approved March 21, 1859;

No. 40, A., a bill for an act to extend the time for the payment of principal upon school and university land certificates;

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

No. 108, A., a bill for an act to amend chap. 48, of the Revised Statutes, entitled "of strays, and lost money and goods;"

And,

No. 183, A., a bill for an act relating to the estate of T. J. VanderBrock;

With recommendation of reference to committee on the Judiciary.

No. 116, A., a bill for an act to authorize the Governor to appoint commissioners of foreign emigration;

With recommendation that it be printed.

No. 110, S., a bill for an act to amend chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

With recommendation of reference to select committee under Res. No. 22, A.

No. 264, A., a bill for an act to amend an act entitled "an act to incorporate the village of Geneva;"

With recommendation of reference to the Walworth county delegation.

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1;

With recommendation of postponement to March 1st.

No. 226, A., a bill for an act concerning holidays;

With recommendation of reference to committee on Banks and Banking.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

Nos. 222, 241, 261, 276, 282, 284, 288, 289, 297, 299, 800, and 809, A.,

And

Mem. C. No. 8, A.,

Were ordered engrossed for a third reading.

Nos. 95, 102, 108, 181, 141, and 154, S.,

Were ordered to a third reading.

Nos. 57, S., and 40, 81, 108, and 183, A.,

Were referred to the committee on the Judiciary.

Nos. 217, and 220, A.,
Were indefinitely postponed.
No. 226, A.,
Was referred to the committee on Banks and Banking.
No. 219, A.,
Was postponed until March 1st.
No. 264, A.,
Was referred to the Walworth county delegation.
No. 110, S.,
Was referred to the select committee under Res. No. 22, A.
No. 116, A.,
Was ordered printed.
The enacting clause to
No. 286, A.,
Was stricken out.
The amendment to
No. 229, A.,
Was adopted, and said bill ordered engrossed.
Nos. 287, and 290, A.,
Were, on debate being intimated, laid aside.
No. 165, A.,
Was recommitted to the committee on town and county organization.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate refuses has concurred in the passage of

No. 20, A., a bill for an act to amend chapter three, of the General Laws of 1859, entitled an act in relation to the publication of legal notices ;

With an amendment.

No. 149, A., a bill for an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie ;

No. 173, A., a bill for an act to amend chapter 164, of the General Laws of 1859, entitled an act to provide for the drainage and reclamation of the swamp and overflowed lands in the counties of Calumet, Brown, Oconto, Kewaunee and Door.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 56, S., a bill for an act to authorize the Mechanics' Bank of Green Lake, to remove to Whitewater ;

No. 58, S., a bill for an act to confer certain powers upon the trustees of the village of Monroe ;

No. 73, S., a bill for an act to amend an act entitled an act to establish a municipal court in the city and county of Milwaukee, approved 18th March, 1859 ;

No. 78, S., a bill for an act to cede jurisdiction to the United States over certain tracts of land in the counties of Brown, Kewaunee, Oconto and Door ;

No. 91, S., a bill for an act to amend subdivision 3, section 45, chapter 23, of the Revised Statutes, entitled " of common schools ; "

On motion of Mr. Neville,

The said message was taken up.

Bills Nos. 56, 58, 73, 78, 91 S., and

No. 70, S., a bill for an act relating to the publication of legal notices ;

Were read first and second times, and placed on general file.

No. 78, S.,

Which was

On motion of Mr. Palmer,

Referred to the Milwaukee city delegation ;

And

No. 78, S.,

Which, under a suspension of the rules, granted

On motion of Mr. Neville,

Was read a third time, and

Concurred in by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Bugh, Burt, Child, Clise, Cobb, Cole, DeWolf, Dickson, Dockry, Fairchild, Farwell, Fisher, Golden, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Howland, Jackson, Judd, Keogh, Kiefer, Langland, Lewis, Meigs, Miller, Mitchell, Moore, Mulholland, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—71.

None voted in the negative.

The Assembly granted a committee of Conference on

No. 48, S.,

And the Speaker appointed Messrs. Wood, Hunkins and Barnum as such committee on the part of the Assembly.

On leave, the following

REPORTS

Were made:

The committee on the Judiciary, to whom was referred bill No. 203, A., "a bill for an act to amend chapter 183, of the Revised Statutes, entitled 'of offences cognizable before justices of the peace;'"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Chln.*

The committee on the Judiciary to whom was referred bill, No. 236, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

And,

No. 122, A., a bill for an act to amend section 144, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

Have had the same under consideration, and have instructed me to report the said bills back to the Assembly, and recommend that the enacting clauses thereof be severally stricken out.

Your committee have listened with much respect and attention to arguments of the gentleman who introduced the first named bill, in favor of its passage, and yet they are fully, unanimously of the opinion that if there is any one subject upon which the people of this State are quite unanimously agreed, it is that of a liberal exemption law, applying to real as well as personal property, and we do not think that the people of the State desire, or would be satisfied with any reduction in the amount of such exemption.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill

No. 285, A., "a bill for an act to amend section 80, of chapter 7, of the Revised Statutes, relating to the qualifications of voters;"

Have had the same under consideration, and the majority of said committee, Messrs. Palmer and Bouck disagreeing, have instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill No. 306, A., a bill for an act for the relief of Sheboygon county;

And,

No. 278, A., a bill for an act to amend section 28, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend their passage when so amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bills No. 143, A., "a bill for an act restoring Levi B. Hanan to citizenship;"

Together with

Mem. No. 84, A., petition of S. W. Graves, Henry W. Shotts, Almond Bell and seventy others, to restore Levi B. Hanan to citizenship;

Have had the same under consideration, and have instructed me to report the said bill back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The joint committee on Enrolled Bills report that on the 17th inst. they presented to the Governor for his approval, the following bills, viz :

No. 134, A., a bill for an act to appropriate to S. R. Fox the sum of \$183 98;

No. 136, A., a bill for an act to appropriate to C. W. Bennett the sum of \$65;

No. 207, A., a bill for an act to appropriate to Charles H. Luce, the sum of \$189 84;

No. 208, A., a bill for an act to appropriate to B. W. Suckow the sum of \$91 65;

No. 215, A., a bill for an act to appropriate to William G. Everitt the sum \$157 50;

No. 245, A., a bill for an act to appropriate to John F. Lessey the sum of \$39;

No. 246, A., a bill for an act to appropriate to George Paine the sum of \$186 67;

No. 247, A., a bill for an act to appropriate to Wright & Paine the sum of \$44 63;

No. 248, A., a bill for an act to appropriate to D. R. Clement the sum of \$41;

No. 250, A., a bill for an act to appropriate to William J. Gill the sum of \$30;

No. 265, A., a bill for an act to appropriate to A. P. Lipe the sum of \$44;

No. 266, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$210 21;

No. 267, A., a bill for an act to appropriate to D. C. Poole the sum of \$40 07;

No. 268, A., a bill for an act to appropriate to E. Martin the sum of \$30;

No. 244, A., a bill for an act to appropriate to A. Burnham, Jr., the sum of \$18;

No. 206, A., a bill for an act to appropriate to Josiah Woodworth the sum of \$16 50;

No. 145, A., a bill for an act to appropriate to Whitman, Wolf, Duff & Co., the sum of \$322 20.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

Mr. Ruan was granted leave of absence until Tuesday next.

Mr. Barnum for three days, and

Mr. DeWolf for two days.

Mr. Alden moved that when the Assembly adjourn on to-morrow, it adjourn until Monday, at 3 o'clock; P. M.;

Which was agreed to.

On motion of Mr. Judd,

The Assembly adjourned until to-morrow morning, at nine o'clock.

SATURDAY, FEBRUARY 18, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Child,

The reading of the journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence:

Mr. Hartung for an indefinite time;

Mr. Schmitzner until Wednesday next;

Messrs. Hammarquist, Ballantine, Patchin, Westby and Golden until Tuesday next;

Mr. Whiting for one day.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Neville:

Mem. No. 194, A., of citizens of Brown county in favor of the passage of the act to enable Brown county to aid in the construction of the Green Bay and Madison Railroad;

To accompany bill No. 211, A.

By Mr. Blackman:

Mem. No. 195, A., of Rufus J. Atwood, W. D. Bird and other tax payers of Dane county, asking the Legislature to limit the compensation of the investigating committee now examining the financial condition of the county, to two dollars per day;

To Dane county delegation.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Stannard:

No. 61, the account of Mygatt & Schmidtner.

RESOLUTIONS INTRODUCED.

By Mr. Elmore:

Res. No. 82, A.;

Resolved, That the committee on the Judiciary, be, and they hereby are instructed to report a bill at an early day, to carry out the provisions of section 16, of article 7, of the Constitution, which reads as follows:

SECTION 16. The Legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers, and duties.

Such tribunals may be established in and for any township, and shall have power to render judgment, to be obligatory on the parties when they shall voluntarily submit their matter in difference to arbitration, and agree to abide the judgment, or assent thereto in writing;

Which lies over.

By Mr. Bachuber:

Res. No. 82, A.;

Resolved, That 800 copies of the letter from the superintendent of the town of Wheatland, in Kenosha county, be printed in the German language, at the expense of the State;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Bartlett :

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's Message in foreign languages, and for an appropriation of money for the payment therefor ;

To committee on Claims.

REPORTS OF COMMITTEES.

The committee on Ways and Means to whom was referred No. 240, A., a bill to provide for continuing the work upon the State Capitol ;

Respectfully report that they had the same under consideration, have examined the original plan for the enlargement of the Capitol, and have also consulted Mr. Donnel, the architect, very fully upon the subject contemplated by the bill.

In examining this subject, the committee felt it to be their duty, to look at the future wants of the State, as well as to its present necessities. It must be apparent to all, who reflect upon the approaching condition of the State, that the time is near at hand, when very material additions to the Capitol will become indispensable to the proper and safe administration of the government ; and even now, at this present time, several of the public officers cannot be accommodated within the capitol building, and suitable offices are being rented for their use at an annual cost of several hundred dollars.

The center part of the Capitol as designed by the original plan, is now occupied by the old building, erected for a State House under the territorial organization, which is now in a condition, regarded by those capable of judging correctly, as insecure and in great danger of giving way in sundry places ; and so great has been this apprehension, that during the past year a considerable amount has been expended, in endeavoring to provide against such a calamity.

It is further reported by the architect, that in the construction of a building of the great weight and dimensions of the proposed State Capitol, several years should be occupied in its erection, (not less than three, at least,) in order to give sufficient time for the various portions of the work to become firmly settled and cemented before the superstructure is completed. This view of the question seems reasonable to the committee, and has had great weight with them in determining

the subject, and must force upon all who duly consider it, the conviction that the wants of the State demand that this important improvement cannot be longer disregarded, in the many necessities that are pressing upon us.

If the basement of the west wing of the capitol should be constructed, as proposed by the bill, during the present year, it should not be expected that the whole wing would be completed before the close of the year 1862, a period of nearly three years from this time. And if it be true, as is represented and believed by the committee, that the old capitol, now occupied by the Senate Chamber, the State Treasurer, the Supreme Court and State Library, and by sundry other public officers, is really liable to become unsafe for such purposes at any time, the imperative necessity of entering at once upon the work proposed, and steadily pursuing it to completion, must be conceded by all.

These considerations have been so pressing upon the committee that they have felt constrained to yield to them, though greatly against their previous inclination. In fact, if nothing should be done in this direction during the present year, it would inevitably follow that more, *much more*, would require to be done next year and the year after; while it may be apprehended that a necessity might be forced upon the State to make so large an appropriation for this object in one year, and to force the work to completion with such rapidity as greatly to diminish its value, and at the same time to cause such an increase in the taxes for the time, as to greatly oppress the people.

Upon the whole, then, the committee have concluded that prudence, as well as true economy, require the work to be commenced during the present year.

They have proposed some amendment to the bill which they deem important to be incorporated therein, and upon their adoption they recommend its passage.

STODDARD JUDD, *Ch'n.*

The committee on the Judiciary, to whom was referred Bill No. 805, A., a bill for an act to amend an act entitled an act to incorporate the United States Insurance Company, approved April 3d, 1854;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with amendments, and recommend its passage when amended.

AMASA COBB, *Ch'n.*

The committee on State Prison, to which was referred Bill No. 255, A.,

Have had the same under consideration, and directed me to report the same back, and to recommend its passage.

ALBERT ALDEN, *Ch'n.*

The committee on Judiciary to whom was referred

No. 75, S., "a bill for an act to amend chapter 205, of the General Laws of 1859, entitled an act to repeal so much of chapter 28, of the Revised Statutes, as authorizes or directs the appraisal of the school or university lands, approved March 21, 1859 ;"

Have had the same under consideration, and have requested me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

Said bill was ordered to a third reading.

The committee on the Judiciary, to whom was referred

Bill No. 108, A., "a bill for an act to amend chapter 43, of the Revised Statutes, entitled of estrays, and lost money and goods ;"

Together with a substitute for said bill ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The substitute was adopted ;

And the Assembly refused to order said bill to a third reading.

The committee on the Judiciary, to whom was referred bill

No. 315, A., "a bill for an act to amend section 8, of chapter 190, of the Revised Statutes, entitled "of prisons generally and common jails ;"

And bill.

No. 279, A., "a bill for an act to amend chapter 120, of the Revised Statutes, entitled 'of courts held by justices of the peace ;'"

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the enacting clauses thereof be severally stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred,

No. 183, A., a bill for an act relating to the estate of I. J. Vonderbrock ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

Said bill was ordered engrossed.

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed:

No. 177, A., a bill for an act to amend section 3, of chapter 116, of the Revised Statutes, entitled "of circuit courts;"

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscomb and Manhattan Bridge Company;"

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the Third Judicial Circuit, to hold special terms of the circuit court;"

No. 282, A., a bill for an act to amend chapter 409, of the Private Laws of Wisconsin for the year 1856, entitled "an act to incorporate the Ripon and Wolf River Railroad;"

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed under rule 48 :

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature.

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner & Bruno the sum of \$650.

No. 284, A., a bill for an act to establish the name of Ellie Metcalf.

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes in the county of Trempealeau.

No. 288, A., a bill for an act to amend sec. 25, of chap. 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings thereon."

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 93, of the Private and Local Laws of 1859, entitled an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;"

No. 300, A., a bill for an act to appropriate to George Theis the sum of \$73 75;

No. 299, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

Mem. C. No. 3, A., memorial to the Post Master General of the United States, for re-instatement of weekly mail service

on mail route 13,088, from Bayfield, in LaPointe county, to Chippewa Falls, in the county of Chippewa.

M. HOWLAND, *Ch'n.*

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

Mr. SPEAKER:

I am directed to present for signature

No. 7, S., an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment thereof.

I am further directed to inform you that the Senate has concurred in,

No. 310, A., a bill for an act amendatory of and supplemental to an act entitled "an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive," approved February 10, 1860;

No. 184, A., an act authorizing the commissioners of school lands to vacate a certain sale to Ephriam Cole.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in,

No. 101, S., a bill for an act to amend chapter 263, of the Private and Local Laws of 1857, entitled "an act to incorporate the Muscoda and Richland Bridge Company;"

No. 162, S., a bill for an act to incorporate the North Western Scientific Association;

No. 163, S., a bill for an act to amend chapter 252, of the Local Laws of 1858, entitled "an act to amend an act to incorporate the city of La Crosse," approved March 14, 1856.

J. Res. No. 5, S.,

Proposing to amend section 8, of article 1, of the Constitution.

No. 78, S.,

Was signed by the Speaker.

BILLS ON THEIR THIRD READING.

The following bills were severally read a third time and concurred in :

No. 95 S., a bill for an act to appropriate to James Livesey the sum of 534 56 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—73.

None voted in the negative.

No. 108, S., a bill for an act to appropriate to John D. Welch the sum of \$40 50 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—73.

None voted in the negative.

No. 131, S., a bill for an act to appropriate to Candee, Dible & Co. the sum of \$235 88 ;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler,

Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker
—78.

None voted in the negative.

No. 141, S., a bill for an act to appropriate to Alexander McDowell the sum of \$24 90;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtnner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker
—78.

None voted in the negative.

No. 154, S., a bill for an act to appropriate to Simon Sekles the sum of \$66;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtnner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westcott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker
—78.

None voted in the negative.

And

No. 102, S., a bill for an act to appropriate to Hudson Fox the sum of \$125 00;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballan-

tine, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—73.

None voted in the negative.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed :

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial circuit ;

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature ;

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled an act to incorporate the Boscobel and Manhattan Bridge company ;

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the Third Judicial Circuit to hold special terms of the circuit court ;

No. 282, A., a bill for an act to amend chapter 409, of the Private Laws of Wisconsin for the year 1856, entitled "an act to incorporate the Ripon and Wolf River Railroad ;"

No. 84, A., a bill for an act to establish the name of Ellie Metcalf ;

No. 288, A., a bill for an act to amend section 25, of chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings therein ;"

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 92, of the Private and Local Laws of 1858, entitled 'an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereto ;"

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes, in the county of Trempeleau ;

No. 299, A., a bill to appropriate to Andrew Bishop the sum of \$52 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bartlett, Beath, Blackman, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Mackay, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 300, A., a bill for an act to appropriate to George Theis the sum of \$78 75;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bartlett, Beath, Blackman, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Mackay, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 276, A., a bill for an act to appropriate to S. B. Scott assignee, &c., the sum of \$65 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bartlett, Beath, Blackman, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Mackay, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sut-

ton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—72.

None voted in the negative.

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

The ayes and noes being required,

The bill passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bartlett, Beath, Blackman, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Griffin, Griswold, Grover, Hartung, Hesk, Holton, Howland, Humann, Ilunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Mackay, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—72.

None voted in the negative.

On motion of Mr. Bouck,

The Assembly resolved itself into

COMMITTEE OF THE WHOLE,

On the general file of bills.

Mr. Neville in the chair.

After sometime spent therein, the committee rose, and by their chairman reported that there was no quorum present.

The roll was called, and a quorum was found to be present.

On motion of Mr. Bouck,

Leave of absence was granted to all absentees.

Mr. Meigs moved to reconsider the vote by which the Assembly refused to order to a third reading,

No. 108, A., a bill for an act to amend chapter 48, of the Revised Statutes, entitled "of strays, and lost money and goods;"

Which was agreed to.

Whereupon the Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills.

Mr. Neville in the chair.

After sometime spent therein, the committee rose, and by their chairman reported, that they had had under consideration

the general file of bills, had made progress therein, reported back the following bills, with the recommendation accompanying the same, and asked leave to sit again.

Leave was granted.

No. 278, A., a bill to amend section 28, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions ;"

No. 305, A., a bill to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 8d, 1854 ;

And

No. 306, A., a bill for an act for the relief of Sheboygan county ;

With amendments.

No. 56, S., a bill to authorize the Mechanic's Bank of Green Lake to remove to Whitewater ;

No. 70, S., a bill for an act relating to the publication of legal notices ;

No. 91, S., a bill for an act to amend subdivision 3, sec. 45, chapter 23, of the Revised Statutes, entitled "of common schools ;"

No. 143, S., a bill for an act restoring Levi B. Hanan to citizenship ;

And

No. 317, A., a bill for an act to appropriate to Church & Hawley the sum of \$198 61 ;

Without amendment.

No. 246, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

And

No. 279, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace ;"

With recommendation that the enacting clause be stricken out.

No. 240, A., a bill for an act to provide for continuing the work upon the State Capitol ;

With amendments, and recommendation of reference to committee on Claims.

REPORT OF COMMITTEE OF THE WHOLE

Considered.

The amendments to

Nos. 240, 278, 305 and 306, A.,

Were concurred in, and
Nos. 278, 305, 306, 143 and 317, A.,
Were ordered engrossed for a third reading.
Nos. 56, 70 and 91, S.,
Were ordered to a third reading,
The enacting clause to
Nos. 236 and 279, A.,
Were stricken out.
No. 240, A.,
Was referred to the committee on Claims.
Mr. Elmore moved to adjourn;
Which was not agreed to.

REPORT.

The joint committee on Enrolled Bills report that, on the 17th inst., they presented to the Governor for his approval Bill No. 72, S., entitled an act to appropriate to Alexander W. Randall, Governor of the State of Wisconsin, the sum of \$10,000, as a contingent fund for the year A. D. 1860.

GEO. BENNETT, *of Senate Com.*
A. WOOD, *of Assembly Com.*

SENATE MESSAGE TAKEN UP.

The Senate amendment to
No. 20, A., a bill for an act to amend chap. 3, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices;"
Was concurred in.
J. Res. No. 5, S., and
Nos. 162 and 163, S.,
Were read the first and second times.
Nos. 101, 162 and 163, S.,
Were referred to the general file.
J. Res. No. 5, S.,
Was referred to the select committee on J. Res. Nos. 10 and 12, A.
On motion of Mr. Moore,
The rules were suspended, and
No. 101, S.,
Was read a third time and concurred in.
On motion of Mr. Townsend,
The Assembly adjourned till Monday, at 3 o'clock, P. M.

MONDAY, FEBRUARY 20th, 8 o'clock, P. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Griswold,

The reading of the journal of Saturday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.

Presented and referred.

By Mr. Munn:

Mem. No. 196, A., of J. B. Fargo, for the payment of certain scrip issued on the part of the State on account of the improvement of the Fox and Wisconsin rivers;

To select committee on that subject.

By Mr. Jackson:

Mem. No. 197, A., of Ira Curtis and 188 other citizens of Richland county, asking for the abolition of the present system of county government, and for the adoption of the commissioner system;

To select committee under Res. No. 41, A.

By Mr. Keogh:

Mem. No. 198, A., of citizens of the 3d ward of Milwaukee, asking for the passage of a law empowering said ward to issue bonds for the purchase of real estate for the use of said ward;

To committee composed of the Milwaukee city delegation.

By Mr. Kingsbury:

Mem. No. 199, A., of Worthy McKillip and 44 others citizens of Sheboygan county, for a change in county government to the commissioner system;

To select committee under Res. No. 41, A.

By Mr. Kingsbury:

Mem. No. 200, A., remonstrance of Jas. Vanburen and 232 others, against the removal of county seat of Sheboygan county from the city of Sheboygan;

To committee on Town and County Organization.

By Mr. Phillips:

Mem. 201, A., of Joseph Dessert and 61 others, for the re-

peal of the charter for the Kilbourn city dam, and for an appropriation to remove the same;

And

Mem. No. 202, A., of A. Warren and 23 others, for the repeal of the charter for the Kilbourn city dam, and for an appropriation to remove the same;

And

Mem. No. 203, A., of Thomas P. Mathews and 104 others, for the repeal of the Kilbourn city dam charter, and for an appropriation to remove said dam;

Which were severally referred

To committee on Internal Improvements.

ACCOUNT,

Presented and referred to committee on Claims,

By Mr. Hayden:

Acc. No. 62, A., The account of B. Throop.

RESOLUTIONS INTRODUCED.

By Mr. Bovay:

Res. No. 84, A.,

Resolved, That the use of this Hall be granted for an exhibition to be given this evening, by the pupils of the institution for the education of the blind;

Which being of a privileged character,

The question was taken, and

The resolution adopted.

By Mr. Griswold:

Res. No. 85, A.,

Resolved, That the committee on Ways and Means be instructed to inquire into and report upon the expediency of repealing chapter 67, of the General Laws of 1858, and of providing for some better disposition of the drainage fund income;

Which lies over.

By Mr. Young:

Res. No. 86, A.,

Resolved, That the select committee to whom was referred the report of the Secretary of State in answer to resolution No. 58, A., be, and are hereby, authorized authorized and instructed to inquire and report whether the conditions and provisions of an act entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on ac-

count of the same, and for the protection of the settlers on the even sections," approved October 3, 1856, have been complied with, and if not, how far and in what manner the same have been complied with; also to inquire generally into the affairs of said company. And for the purpose of said inquiry, the said select committee are hereby authorized and empowered to send for such papers, books and persons as they may deem necessary.

On motion of Mr. Young,
The rules were suspended,
And the resolution adopted.

By Mr. Bovay :

Res. No. 87, A.;

Resolved, That the Sergeant-at-Arms is hereby instructed to procure from the Superintendent of Public Property, an engraving properly framed, of the plan, so far as such plans have been engraved on which it is proposed to complete each of the following public buildings, to wit: the State Capitol, the State University, the State Prison, the State Reform School, the State Hospital for the Insane, the Asylum for the Deaf and Dumb, and the Asylum for the Blind, and to suspend the same in this Hall;

Which lies over.

By Mr. Fairchild:

Res. No. 88, A.;

Resolved That the use of the Assembly Chamber be granted to the Democratic State Convention, on the afternoon and evening of Wednesday the 23d inst.;

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 82, A.;

Instructing committee on the Judiciary to report a bill;

Introduced by Mr. Elmore on Saturday.

Mr. Palmer moved to amend by striking out the words "Judiciary committee," and insert, "select committee on assessment;"

Which was disagreed to,

And the resolution was adopted.

Res. No. 83, A.;

Ordering 300 copies of the letter of town superintendent of the town of Wheatland;

Introduced by Mr. Bachuber on Saturday,

Was, on leave, withdrawn.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Howland:

No. 320, A., a bill for an act providing for a lien of mechanics and others;

To committee on the Judiciary.

By Mr. Bouck:

No. 321, A., a bill for an act to provide for the payment of all audited accounts;

To committee on Claims.

By Mr. Fairchild:

No. 322, A., a bill for an act to amend section 2, of chapter 63, of the Revised Statutes, entitled "of voluntary assignments;"

To committee on the Judiciary.

By Mr. Keogh:

No. 323, A., a bill for an act to amend section 110, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

To select committee under Res. No. 22, A.

By Mr. Clise:

No. 324, A., a bill for an act to amend chapter 132, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscobel and Manhattan Bridge Company;"

To committee on Swamp and Overflowed Lands.

By Mr. Seaton:

No. 325, A., a bill for an act to amend sec. 33, of chap. 133, of the Revised Statutes, entitled "of fees of jurors;"

To committee on the Judiciary.

By Mr. Hayden:

No. 326, A., a bill for an act to amend sec. 12, of chapter 151, of the Revised Statutes, entitled "of forcible entries and unlawful detainers;"

To committee on the Judiciary.

By Mr. Bovay:

No. 327, A., a bill for an act to authorize the district board of joint school district No. 2, in the town and city of Ripon, to collect a tax;

To committee on Education.

By Mr. Neville :

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chap. 150, of the Revised Statutes ;"

To committee on Judiciary.

And

No. 330, A., a bill for an act to amend sec. 11, of chap. 183, of the Revised Statutes, entitled "of the lien of mechanics and others ;"

To committee on the Judiciary.

And

No. 330, A., a bill for an act to amend chapter 153 of the Revised Statutes, entitled "of the State Prison ;"

To Committee of the Whole.

By Mr. Wiley :

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county ;

To committee on the Judiciary.

REPORTS.

The Dane county delegation, to whom was referred memorial No. 195, A.,

And bill

No. 84, S., for an act to confer powers upon the committee of Investigation into the financial affairs of the county of Dane ;

Have had the same under consideration, and a majority of said delegation have decided to report the same back with amendment, and recommend that the bill when so amended do pass.

L. J. FARWELL, *Ch'n.*

The amendment to said bill was concurred in, and said bill was ordered to a third reading.

The delegation from the city of Madison, to whom was referred bill

No. 154, A., a bill for an act to amend an act, entitled "an act to incorporate the city of Madison ;"

Having had the same under consideration, herewith report the same back to the Assembly, and recommend that it be indefinitely postponed.

CASSIUS FAIRCHILD.

Said bill was thereupon indefinitely postponed.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 70, S., a bill for an act relating to the publication of legal notices;

No. 75, S., a bill for an act to amend chapter 205, of the General Laws of 1859, entitled "an act to repeal so much of chapter 28, of the Revised Statutes as authorizes or directs the appraisal of the school or university lands," approved March 21st, 1859;

No. 91, S., a bill for an act to amend subdivision 3, section 45, chapter 23, of the Revised Statutes, entitled "of common schools;"

No. 56, S., a bill to authorize the Mechanics' Bank, of Green Lake, to remove to Whitewater;

No. 84, S., a bill for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

The substitute to

No. 287, A., a bill for an act to amend section 55, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

Was adopted, and

The bill was ordered engrossed.

No. 108, A., a bill for an act to amend chapter 43, of the Revised Statutes, entitled "of strays, and lost money and goods;"

And

No. 290, A., a bill for an act to appropriate to Hitchcock & Co. the sum of \$1,242 25.

Were ordered to be engrossed for a third reading.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills;

Mr. Rogers in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 41, A., a bill for an act to repeal chapter 210, of the General Laws of 1854, entitled "an act to provide a permanent township school library fund;"

Without amendment.

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled "an act to incorporate Wisconsin River Hydraulic Company;"

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie and their successors, to build and maintain a dam across the Wisconsin river;"

And

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1853, entitled "an act to amend chapter 330, of the Private and Local Laws of 1855;"

With recommendation of recommittal.

No. 132, A., a bill for an act to repeal chapter 115, of the Laws of 1859, entitled "an act to prohibit the selling of intoxicating drink on Sunday and certain other days therein mentioned;"

With recommendation of indefinite postponement.

No. 218, A., a bill for an act to authorize the superintendent of the poor in the several counties of this State to grant licenses for the sale of intoxicating drinks;

With recommendation that the enacting clause be stricken out.

MESSAGE FROM THE SENATE.

By J. H. Warren, Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

Mem. No. 2, S., memorial to Congress for a daily mail route from the village of Lake Mills to the village of Jefferson, in the county of Jefferson, Wisconsin;

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chapter 155, of the General Laws of 1854, entitled "an act providing for the appointment of a comptroller and prescribing his duties;"

No. 53, S., a bill for an act providing for the enclosing of railroads by fences and cattle guards;

No. 60, S., a bill for an act to authorize the Citizens Bank, Oshkosh, to remove to Black River Falls, Jackson county;

No. 87, S., a bill for an act to legalize the proceedings of

the district board of school district No. 5, of the town of Platteville, Grant county;

No. 89, S., a bill for an act for the relief of Nathan B. Langdon and others.

No. 94, S., a bill for an act to authorize the Oakwood Bank to reduce its capital.

No. 163, S., a bill for an act to authorize the Green Bay Bank to reduce its capital and remove its place of business.

I am further directed to inform you that the Senate has concurred in the passage of

No. 100, A., a bill for an act to amend chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands off unpaid taxes, and the conveyance and redemption thereof."

And to present to you for signature,

No. 68, S., an act to amend chap. 97, of the laws of 1859, being the charter of Carroll College;

Said bill was signed by the Speaker.

On motion of Mr. DeWolf,

The Assembly adjourned.

TUESDAY, FEBRUARY 21, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Whittlesey,

The reading of the journal of yesterday was dispensed with

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Munn:

Mem. No. 204, A., remonstrance of C. D. Woodruff and 60 others, against the repeal of the law authorizing the construction of the Kilbourn City Dam;

To committee on Internal Improvements.

By Mr. McKay :

Mem. No. 205, A., of Robert Anderson and others, to change the system of county government;

And

Mem. No. 206, A., of C. C. Hanchett and others, for change in the system of county government;

To select committee under J. Res. No. 41, A.

By Mr. Speaker :

Mem. No. 207, A., of Isaac U. Ulmann and 112 others, citizens of Racine, in favor of allowing debts to be deducted from the value of personal property for the purposes of taxation;

To select committee under Res. No. 22, A.

By Mr. Wiley :

Mem. No. 208, A., of A. Murray and 23 others, citizens of Shawano county, for the relief of Matthias Swachana, a settler on section 16, town 26, range 16;

To committee on Education, School and University Lands, with bill.

By Mr. Phillips:

Mem. No. 209, A., of Edwards & Clinton and 157 others, for the repeal of the Kilbourn city dam charter, and for an appropriation to remove said dam;

To committee on Internal Improvements.

RESOLUTIONS INTRODUCED.

By Mr. Humann:

Res. No. 89, A.,

WHEREAS, to-morrow is the anniversary of the birth of the father of his country, the immortal Washington, therefore,

Resolved, That when the Assembly adjourn for to-day, it adjourn until Thursday;

Which being of a privileged character,

The question was taken, and

The resolution adopted.

RESOLUTIONS CONSIDERED.

Res. No. 85, A.,

Relative to the drainage fund income;

Introduced by Mr. Griswold yesterday,

Was adopted.

Res. No. 87, A.,

Instructing Sergeant-at-Arms to procure engraving of certain public institutions;

Introduced by Mr. Bovay yesterday,
Was referred to the committee on State Affairs.

Res. No. 88, A.,

Granting use of Assembly Hall to the Democratic State Convention;

Introduced by Mr. Fairchild yesterday,
Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred ;

By Mr. Palmer:

No. 332, A., a bill to protect certain counties, cities, towns and villages;

To committee on the Judiciary.

By Mr. Horn:

No. 333, A., a bill for an act to pay Matthias Martin the sum of money therein mentioned;

To committee on Claims.

By Mr. Goodwin:

No. 334, A., a bill for an act for the relief of settlers upon the even sections of the Fox and Wisconsin River Improvement Company;

To select committee on that subject.

By Mr. McKay:

No. 335, A., a bill to enable the corporation of the village of Sparta to construct sidewalks, and otherwise improve the streets of said village;

To committee on Incorporations.

By Mr. Hayden:

No. 336, A., a bill for an act to repeal sec. 40, of chap. 79, of the Revised Statutes, entitled "of railroads ;"

To committee on Railroads.

By Mr. Fairchild :

No. 337, A., a bill for an act to authorize the city of Madison, to levy and collect a special tax for the years 1860 and 1861 ;

To committee on the Judiciary.

By Mr. Wiley :

No. 338, A., a bill for an act for the relief of settlers on the N. E. qr of section 16, town 26, range 16, in Shawano county ;

To committee on Education.

By Mr. Hayden :

No. 339, A., a bill for an act to amend sec. 205, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace ;"

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled :

No. 7, A., an act to amend chap. 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto ;"

No. 173, A., an act to amend chapter 164, of the General Laws of 1859, entitled "an act to provide for the drainage and reclamation of the swamp and overflowed lands in the counties of Calumet, Brown, Oconto, Kewaunee and Door."

No. 149, A., an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie.

C. MILLER, *of Com.*

Said bills were signed by the Speaker.

The committee on Engrossed Bills, respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 99, A., a bill for an act to amend sections 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties and their boundaries;"

No. 143, A., a bill for an act to restore Levi B. Hanan to citizenship;

No. 183, A., a bill for an act relating to the estate of T. J. VanderBrock;

No. 278, A., a bill for an act to amend section 28, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

No. 317, A., a bill for an act to appropriate to Church & Hawley the sum of \$198 61.

M. HOWLAND, *Ch'n.*

THE SENATE MESSAGE

Taken up.

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chapter 155, of the General Laws of 1858, entitled "an act providing for the appointment of a comptroller and prescribing his duties;"

No. 53, S., a bill for an act providing for the enclosing of railroads by fences and cattle guards;

No. 60, S., a bill for an act to authorize the Citizens Bank, Oshkosh, to remove to Black River Falls, Jackson county;

No. 87, S., a bill for an act to legalize the proceedings of the district board of school district No. 5, of the town of Platteville, Grant county;

No. 83, S., a bill for an act for relief of Nathan B. Langdon and others;

No. 94, S., a bill for an act to authorize the Oakwood Bank to reduce its capital;

No. 103, S., a bill for an act to authorize the Green Bay Bank to reduce its capital and remove its place of business;

And

Mem. C. No. 2, S., memorial to Congress for a daily mail route from the village of Lake Mill to the village of Jefferson, in the county of Jefferson, Wisconsin;

Were read first and second times, and

No's. 14, 53, 87, 89 and Mem. C. No. 2, S.,

Were placed on the general file.

No. 60, S.,

Was referred to the committee on Banks and Banking

The rules were suspended, and

No's. 94 and 103, S.,

Were read a third time,

And concurred in.

BILLS REPORTED BY COMMITTEE OF WHOLE,

Considered.

No. 44, A., "a bill for an act to repeal chapter 210, of the General Laws of 1859, entitled "an act to provide a permanent school library fund;"

Mr. Neville moved to amend by adding to section 1, the following words:

"And section 76, of chapter 23, of the Revised Statutes is hereby revived and reinstated;"

Which was agreed to.

And said bill was ordered engrossed for a third reading,

By the following vote:

Those who voted in the affirmative were,

Messrs. Bachuber, Barnum, Beath, Bouck, Bow, Brooks, Bugh, Cobb, Cole, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Fisher, Goodwin, Griffin, Griswold, Grover, Horn, Horton, Howland, Humann, Hunkins, Judd, Kiefer, Kingsbury, Mackay, Mitchell, Mulholland, Munn, Nash, Neville, Ordway, Rankin, Rogers, Seaton, Simpson,

Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Whiting, Winter and Young—51.

Those who voted in the negative were,

Messrs. Bartlett, Bettis, Blackman, Bunn, Burt, Child, Clise, Hammarquist, Hayden, Jackson, Keogh, Langland, McKay, Meigs, Miller, Moore, Palmer, Patchin, Phillips, Ruan, Schmidtner, Westby, Whittlesey, Wiley, Wood, and Mr. Speaker—28.

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company ;"

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie and their successors, to build and maintain a dam across the Wisconsin river ;"

And

No. 79, A., a bill for an act to repeal chap. 508, of the Private and Local Laws of 1856, entitled "an act to amend chap. 380, of the Private and Local Laws of 1855 ;"

Were recommitted to the committee on Internal Improvements.

No. 132, A., a bill for an act to repeal chapter 115, of the laws of 1859, entitled "an act to prohibit the selling of intoxicating drinks on Sunday, and certain other days therein mentioned ;"

Was indefinitely postponed.

No. 218, A., a bill for an act to authorize the superintendent of the poor in the several counties of this State to grant licenses for the sale of intoxicating drinks ;

Was laid on the table.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in bills

No. 89, A., a bill for an act relieving the directors of Star Rifle Co. of Oshkosh, Winnebago county, from the obligations of a certain bond.

No. 133, A., a bill for an act to appropriate to Chauncey Abbott the sum of \$200.

No. 158, A., a bill for an act to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb to Amanda Louisa Brond."

No. 249, A., a bill for an act to appropriate to C. V. N. Kittredge the sum of \$138 61.

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit;

With amendment.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 88, S., a bill for an act to authorize the issuing patents to deceased persons in certain cases;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled of forgery and counterfeiting;

No. 117, S., a bill for an act to provide for the removal of the county seat of Buffalo county;

No. 118, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 187, S. a bill for an act to extend the time for the collection of the State and county taxes in the city of Janesville.

I am also directed to present to you for signature

No. 95, S., a bill for an act to appropriate to James Livesey the sum of \$534 56;

No. 102, S., a bill for an act to appropriate to Hudson Fox the sum of \$125;

No. 108, S., a bill for an act to appropriate to John D. Welch the sum of \$40 50;

No. 131, S., a bill for an act to appropriate to Candee, Dible & Co. the sum of \$235 38;

No. 141, S., a bill for an act to appropriate to Alex. McDowell the sum of \$24 90;

No. 154, S., a bill for an act to appropriate to Simon Sekles the sum of \$66.

On motion of Mr. McKay,

The rules were suspended, and

No. 163, S., a bill for an act to amend chapter 252, of the Local Laws of 1858, entitled "an act to amend an act to incorporate the city of La Crosse," approved March 14, 1856;

Was taken from the general file, and

Read a third time and concurred in.

On motion of Mr. Smith,

The rules were suspended, and

No. 187, S., a bill for an act to extend the time for the collection of the State and county taxes in the city of Janesville;

And,

M. O. No. 2, S., memorial to Congress for a daily mail route from the village of Lake Mills to the village of Jefferson, in the county of Jefferson, Wisconsin;

Were taken from the general file,
Read a third time and concurred in.
On motion of Mr. Bouck,
The Assembly resolved itself into the

COMMITTEE OF THE WHOLE

On the general file of bills,
Mr. Munn in the chair:

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 142, A., a bill for an act relative to persons mining for lead ore or other mineral;

And,

No. 174, A., a bill to amend chapter 118, of the General Laws of 1859, and chapter 153, of the Revised Statutes, entitled "of the lien of mechanics and others;"

With amendments.

No. 214, A., a bill for an act to amend sections one and two of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State;"

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists;

And,

No. 239, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto;"

Without amendment.

Mr. Bouck moved that the Assembly take a recess until half past 2 o'clock.

Mr. Hunkins moved to adjourn;

Which was not agreed to.

And the Assembly adjourned until half past 2 o'clock, P. M.

Half-past 2 o'clock, P. M.

The Speaker called the Assembly to order.
On motion of Mr. Dickson,
The vote by which

No. 187, S., a bill for an act to extend the time for the collection of the State and county taxes in the city of Janesville;

Was concurred in,

Was reconsidered;

And said bill was referred to the delegation from the city of Janesville.

REPORT OF THE COMMITTEE OF THE WHOLE

Made during the morning session, considered.

The amendments to

Nos. 142 and 174, A.,

Were concurred in;

And,

Nos. 142, 174, 214 and 238, A.,

Were ordered engrossed for a third reading.

The enacting clause to

No. 239, A.,

Was stricken out.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Palmer in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 48, A., a bill for an act relating to the fire departments in the cities and villages of this State, and to amend chapter 190, of the General Laws of 1859, entitled "an act to regulate insurance companies not incorporated by the State of Wisconsin;"

No. 10, S., a bill to permanently fix the compensation of officers and employees of the Legislature;

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison Railroad;

No. 274, A., a bill for an act to amend section 87, chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

And,

No. 285, A., a bill for an act to amend section 30, of chapter 7, of the Revised Statutes, relating to the qualifications of voters;

With amendments.

No. 153, S., a bill for an act to appropriate to A. L. Burke the sum of \$264 20;

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96;

No. 58, S., a bill for an act to confer certain powers upon the trustees of the village of Monroe;

And,

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;

Without amendment.

No. 182, A., a bill for an act relating to proceedings in probate courts;

And,

No. 204, A., a bill for an act to define the qualifications of electors in certain cases;

With recommendation that their enacting clauses be stricken out.

No. 17, S., a bill for an act to repeal chapter 201, of the General Laws of 1859, entitled "an act to remit certain penalties imposed by section 59, of chapter 26, of the Revised Statutes, entitled 'of school and university lands;'"

With recommendation of reference to committee on Education.

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge, to retain license-moneys in their town, city and village treasuries;

With recommendation of recommittal to the Dodge county delegation.

No. 116, A., a bill for an act to authorize the Governor to appoint commissioners of foreign emigrants;

With recommendation of reference to committee on State Affairs.

No. 122, A., a bill for an act to amend section 144, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

With recommendation that the enacting clause be stricken out.

No. 203, A., a bill for an act to amend chapter 183, of the Revised Statutes, entitled "of offences cognizable before justices of the peace;

With recommendation that it do lay on the table.

On leave, Mr. Bovay introduced
No. 340, A., a bill for an act to extend the time for the collection of taxes in the town and city of Racine;

Which was read first and second times, and

Referred to the delegation from Fond du Lac county.

On motion of Mr. McKay,

The rules were suspended, and

No. 162, S., a bill for an act to incorporate the Northwestern Scientific Association;

Was taken from the general file, and

Referred to the committee on Incorporations.

Mr. Cobb, on leave, withdrew the account of Orton & Bryant.

Mr. Hayden asked leave to introduce a resolution,

Which was objected to.

Mr. Elmore moved to suspend the rules;

Which was agreed to.

Whereupon Mr. Hayden introduced

Res. No. 90., A.,

Whereas, Wednesday, the 22d day of February, 1860, is a national birthday, and

Whereas, The national flag, the stars and stripes, are to be planted for the first time upon the capitol of this State, therefore,

Resolved, That the chair appoint a committee of three with instructions to cause suitable demonstrations of one hundred guns to be fired on that occasion;

And the resolution was adopted.

The Speaker appointed Messrs. Hayden, Horn and Cobb as said committee.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled;

No. 20, A., a bill for an act to amend chapter 3, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices;"

No. 184, A., a bill for an act authorizing the commissioners of school lands to vacate a certain sale to Ephraim Cole;

No. 310, A., a bill for an act amendatory of and supplementary to an act entitled "an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859 inclusive, approved February 10th, 1860"

Said bills were signed by the Speaker.

REPORT OF COMMITTEE OF THE WHOLE

Considered.

The amendment to,

Nó's. 211, 214 and 48, A.,

Were concurred in, and said bills ordered to be engrossed

Nos. 58 and 153, S.,

Were ordered to a third reading.

The Assembly refused to order to a third reading,

Nos. 275 and 298, A.

The enacting clause to

Nos. 122, 182 and 204, A.,

Were stricken out.

No. 203, A.,

Was laid on the table.

No. 17, S.,

Was referred to the committee on Education.

No. 189, A.,

Was recommitted to the Dodge county delegation.

No. 116, A.,

Was referred to committee on State Affairs.

No. 10, S., a bill for an act to permanently fix the compensation of the officers and employees of the Legislature;

A division being called for in taking the question upon the amendments reported by the committee;

And the question being on striking out "four dollars," after the words "Chief Clerk," and inserting "five dollars ;"

The ayes and noes were called for and ordered,

And the amendment was lost,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Barnum, Beath, Bouck, Bow, Boyd, Bugh, Cole, Dockry, Elmore, Fairchild, Green, Griffin, Hartung, Hayden, Horn, Horton, Hunkins, Keogh, Kiefer, Kingsbury, Mackay, Munn, Neville, Palmer, Patchin, Phillips, Ruan, Schmidtner, Seaton, Simpson, Sutton, Townsend, Wiley, Winter and Wood—89.

Those who voted in the negative were,

Messrs. Ahlhauser, Baldwin, Bartlett, Bettis, Blackman, Bovay, Brooks, Bunn, Burt, Child, Clise, Cobb, Coles, Dickson, Farwell, Golden, Griswold, Hammarquist, Holtón, Howland, Humann, Jackson, Johnson, Judd, Langland, McKay, Meigs, Miller, Mitchell, Moore, Mulholland, Nash, Ordway, Rankin, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Whiting, Young and Mr. Speaker—47.

The question occurring on striking out "one dollar and twenty five cents," after the word "messengers," and inserting "one dollar and fifty cents;"

The ayes and noes were called for and ordered,

And the amendment was lost by the following vote

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Beath, Bouck, Bow, Boyd, Bugh, Cole, Coles, Dockry, Elmore, Fairchild, Green, Griffin, Hartung, Hayden, Horn, Humann, Hunkins, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Sutton, Townsend, Wiley, Winter and Young—43.

Those who voted in the negative were

Messrs. Baldwin, Bartlett, Bettis, Blackman, Bovay, Brooks, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Golden, Griswold, Hammarquist, Hesk, Holton, Horton, Howland, Jackson, Johnson, Judd, Kiefer, Langland, McKay, Miller, Mitchell, Moore, Nash, Ordway, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Whiting, Wood and Mr. Speaker—45.

Mr. Bovay moved to lay

No. 10, S.,

On the table.

On motion of Mr. Elmore,

The Assembly adjourned.

THURSDAY, FEBRUARY 23, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Wheeler,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Holton:

Mem. No. 210, A., of the Wisconsin River Hydraulic Company;

To committee on Internal Improvements.

By Mr. Munn:

Mem. No. 211, A., of the common council of the city of Portage, for an act to repair and maintain a levee in said city;

To committee on Internal Improvements.

By Mr. Moore:

Mem. No. 212, A., of A. J. Wright and 79 others, citizens of Richland and Grant counties, asking for the right to construct a certain plank road therein described, and asking for an appropriation therefor;

To committee on Incorporations.

By Mr. Elmore:

Mem. No. 213, A., of Henry Grimshaw and 67 others, for the passage of a law levying a tax on dogs;

To select committee under Res. No. 22, A.

By Mr. Child:

Mem. No. 214, A., of James T. Hempstead and 14 others, in school district No. 7, town of Lafayette, to establish a school house site;

To committee on the Judiciary.

By Mr. Speaker:

Mem. No. 215, A., of citizens of Columbia county, for re-

peal of the act conferring civil jurisdiction on the county court of Columbia county;

To committee composed of the Columbia county delegation.

By Mr. Fairchild:

Mem. No. 216, A., resolution passed at a public meeting held in the city of Madison, relative to a change in the Constitution;

To select committee under J. Res. No. 12, A.

By Mr. Chase:

Mem. No. 217, A., from the voters in the town of Boscobel, in Grant county, for the passage of a law authorizing them to vote a special tax for highway purposes;

To committee on State Affairs.

By Mr. McKay:

Mem. No. 218, A., of A. H. Lamb and 42 others, legal voters of the county of La Crosse, to change the system of county government to the commissioner system;

To select committee under Res. No. 41, A.

By Mr. Wheeler:

Mem. No. 219, A., of G. A. Gardner, praying for an act to give to justices of the peace jurisdiction in action for waste in certain cases;

To committee on the Judiciary.

By Mr. Whittlesey:

Mem. No. 220, A., remonstrance of J. W. Campbell, against a reduction of fees for legal printing;

To committee on Printing.

By Mr. Rankin:

Mem. No. 221, A., remonstrance of John Ostrander and others, against the repeal of village charter of Two Rivers;

To committee on Incorporations.

By Mr. Keogh:

Mem. No. 222, A., of citizens of Milwaukee asking for the passage of a law authorizing the Common Council of that city to erect a breakwater for the protection of property lying adjacent to Lake Michigan, in the 3d Ward;

To committee composed of the Milwaukee delegation.

COMMUNICATION.

SECRETARY'S OFFICE,
MADISON, Feb. 22, 1860.

HON. WM. P. LYON, *Speaker of the Assembly*:

SIR:—I have the honor to submit an Abstract from the re-

turns of Marriages in this State for the year 1859, in accordance with Section 11, Chapt. 110, Revised Statutes.

It will be seen that returns have been received from but seventeen counties, and of these but one or two have made semi-annual returns, as required by law; while the returns of Births and Deaths required by the same chapter have been entirely neglected.

As no practical results can possibly be derived from such imperfect returns, and as the law now appears to be nearly a dead letter, its longer continuance will hardly counterbalance the expense and trouble necessarily incurred by the counties disposed to obey the law, I would respectfully suggest its repeal.

Very respectfully,

L. P. HARVEY, *Sec'y of State.*

[illegible]

RESOLUTIONS INTRODUCED.

By Mr. Bouck:

Res. No. 91, A.,

Resolved, That the committee on Swamp and Overflowed Lands is hereby instructed to report a bill providing for the payment of the outstanding indebtedness against the drainage fund;

On motion of Mr. Bouck,
The rules were suspended,
And the resolution adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Wheeler:

No. 341, A., a bill for an act to extend to justices of the peace jurisdiction in actions for waste;

To committee on the Judiciary.

By Mr. Munn:

No. 342, A., a bill for an act to authorize the city of Portage to maintain a levee;

To committee on Internal Improvements.

By Mr. Whittlesey:

No. 343, A., a bill for an act to provide for laying out a State road from Shawano to the State line;

To committee on Swamp and Overflowed Lands.

By Mr. Ballantine:

No. 344, A., a bill to authorize school district No. 1, town of Cassville, Grant county, Wisconsin, to borrow money to build a school house;

To committee on Education.

By Mr. Cobb:

No. 345, A., a bill for an act to amend an act entitled "an act to incorporate the Mineral Point Seminary;"

On motion of Mr. Cobb,
The rules were suspended,
And

No. 345, A.,

Was read a third time, and passed, and the title agreed to.

By Mr. Fairchild:

No. 346, A., a bill for an act to amend an act entitled "an act to incorporate the city of Madison," and the several acts amendatory thereto;

On motion of Mr. Fairchild,
The rules were suspended, and
No. 346, A.,

Was read a third time, and passed, and the title agreed to.

By Mr. Humann:

No. 347, A., a bill for an act to amend section 1, of chapter 204, of the Private and Local Laws of 1859, entitled "an act to authorize the common council of the city of Milwaukee to provide a salary for the chief engineer of the fire department;"

To committee composed of the Milwaukee delegation.

By Mr. Hayden:

No. 348, A., a bill for an act to provide for the proper burial of the dead;

To committee on Charitable and Religious Societies.

By Mr. Whittlesey:

No. 349, A., a bill for an act to alter the boundaries of Shawanaw county;

To committee on Town and County Organization.

By Mr. Speaker:

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital, and remove its place of business;

To committee on Banks and Banking.

The following named gentlemen were granted leave of absence:

Messrs. Fischer and Johnson, for two days.

Mr. Bachuber, for three days.

Mr. Burt, for six days.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills, respectfully report that they have examined the following bill, and find it correctly engrossed under rule 48:

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills and find them correctly engrossed.

No. 44, A., a bill for an act to repeal chapter 210 of the General Laws of 1857, entitled "An act to provide a permanent township school library fund."

No. 108, A., a bill for an act to amend chapter 43 of the Revised Statutes, entitled "of strays and lost money and goods."

No. 287, A., a bill for an act to amend section 55 of chapter 133 of the Revised Statutes entitled "of costs and fees."

No. 290, A., a bill for an act to appropriate to Hitchcock & Co. the sum of \$1242 25.

No. 305, A., a bill for an act to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 3d, 1854.

M. HOWLAND, *Ch'n.*

The joint committee on Enrolled Bills report that on the 23d instant they presented to the Governor for his approval, the following bills, viz:

No. 154, S., for an act to appropriate to Simon Sekles the sum of \$66;

No. 141, S., for an act to appropriate to Alexander McDowell the sum of \$24 90;

No. 131, S., for an act to appropriate to Candee, Dibble & Co., the sum of \$235 38;

No. 108, S., for an act to appropriate to John D. Welch the sum of \$40 50;

No. 95, S., for an act to appropriate to James Livesey the sum of \$534 56;

No. 102, S., for an act to appropriate to Hudson Fox the sum of \$125;

No. 68, S., for an act to amend chapter 97, of the laws of 1849, being the charter of Carroll College;

No. 173, A., for an act to amend chapter 164, of the General Laws of 1859, entitled "an act to provide for the drainage and reclamation of the swamp and overflowed lands in the counties of Calumet, Brown, Oconto, Kewaunee and Door;

No. 7, A., for an act to amend chapter 137, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto;"

No. 149, A., for an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie;

No. 7, S., for an act to authorize the members and officers of the Legislature to take newspapers at the expense of the State, and to provide for the payment thereof.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

The Select committee, consisting of the delegation from the city of Janesville, to whom was referred bill

No. 187, S., a bill for an act to extend the time for the collection of the State and county taxes in the city of Janesville;

Have had the same under consideration, and report the same back with amendment, and recommend the passage of the bill when so amended.

J. P. DICKSON, *Com.*

On motion of Mr. Dickson,
The rules were suspended,
The amendment adopted,
The bill read a third time,
And concurred in.

The committee on Enrolled bills, have examined the following and find the same correctly enrolled:

No. 100, A., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

No. 249, A., a bill for an act to appropriate to C. V. N. Kettridge the sum of \$188 61;

No. 168, A., a bill for an act to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb, to Amanda Louisa Brand;

No. 89, A., a bill for an act releasing the directors of Star Rifle Company, of Oshkosh, Winnebago county, from the obligation of a certain bond;

No. 133, A., a bill for an act to appropriate to Chauncey Abbott the sum of \$200.

W. T. BROOKS, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Town and County Organization, to whom was recommitted

No. 165, A., a bill for an act to incorporate the village of Pepin,

Have had the same under consideration, and report the same back with the recommendation that the substitute before reported do pass.

J. P. DICKSON,
J. S. BUGH,
A. GREEN,
ELVA SIMPSON,
Com. on To. and Co. Org.

The committee on Town and County Organization, to whom was referred

No. 201, A., a bill for an act to provide for removal of the county seat of La Fayette County;

Also:

Mem. No. 134, A., of L. E. Johnson and 1000 others, in favor of removal and against striking off any portion of the territory of said county and attaching the same to Iowa county;

Also:

Mem. No. 111, A., of J. L. Trusdale, 56 others;
Mem. No. 127, A., of W. J. Lewis and 100 others;
Mem. No. 110, A., of J. P. McFarlain and 93 others;
Mem. No. 102, A., of Thomas H. Sheldon and 40 others;
Mem. No. 122, A., of John Finley and 50 others;
Mem. No. 154, A., of S. S. Reed and 100 others;
Mem. No. 109, A., of S. A. Davis and 45 others;
Mem. No. 146, A., of John B. Stockdale and 700 others;
Mem. No. 96, A., of D. M. Parkison and 32 others;

Represented in the petitions as legal voters of La Fayette County, for a law providing for removal of the county seat of said county, and against striking off any portion of territory from La Fayette County and attaching the same to Iowa County.

Mem. No. 142, A., remonstrance of John W. Blackstone and 1,450 others ;

Mem. No. 143, A., remonstrance of Thos. H. Scales and 200 others ;

Mem. No. 145, A., remonstrance of P. McDermot and 134 others ;

Mem. No. 156, A., remonstrance of James S. Murphy and 97 others ;

Mem. No. 144, A., remonstrance of J. D. Martin and 92 others ;

Mem. No. 183, A., remonstrance of Daniel Sullivan and 43 others ;

And

Mem. No. 184, A., remonstrance of Dennis Boyle and 50 others, (represented as) legal voters of La Fayette county against the passage of the bill on the removal of the county seat of said county ;

And have considered the same, and report that from the memorials and the evidence that has been submitted to us on the part of those asking for the passage of the bill ; and from the remonstrances and other evidences submitted for our consideration against the passage of the bill ; and in consequence of the absence of one of the committee, a majority are not able to agree on any recommendation, therefore return the bill and accompanying memorials and remonstrances, and ask to be discharged from any further consideration of this matter.

J. P. DICKSON,

A. GREEN,

J. S. BUGH,

ALVA SIMPSON.

Committee on Town and County Organization.

The committee on Incorporations to whom was referred

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereof, approved October 13, 1856;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with an amendment, and recommend its passage when so amended.

R. BUNN, *Ch'n.*

The committee on Town and County Organization, to whom was referred bill

No. 131, A., a bill for an act to provide for the removal of the county seat of Iowa county;

Also,

Mem. No. 65, A., of L. M. Strong and 1,495 other legal voters of Iowa county, praying for the removal of the county seat of Iowa county;

Also,

Mem. No. 67, A., of John Toay and 1,540 others, legal voters of Iowa county, against the passage of any law for the removal of the county seat of Iowa county;

Mem. No. 139, A., of Ole Oleson and 71 others against the removal of said county seat;

Also,

Mem. No. 86, A., of George Gold and 20 others;

And,

Mem. No. 93, A., of Edward Wilkins and 127 others, legal voters of Iowa county against the passage of any law for the removal of the county seat of Iowa county;

And have considered the same and report that from the memorials and the evidence that has been submitted to us on the part of those asking for the passage of the bill; and from the remonstrances and other evidences submitted for our consideration against the passage of the bill, and in the absence of one of the committee, a majority are unable to agree on any recommendation in reference to this bill, and herewith return the bill an accompanying papers, and ask to be discharged from any further consideration of this matter.

J. P. DICKSON,

J. S. BUGH,

A. GREEN,

ALVAH SIMPSON,

Com. on Town and County Organization.

Mr. Ordway moved to refer said bills

Nos. 201 and 131, A.,

To a select committee of three.

Mr. Cole moved to amend by "instructing said committee to report within three days."

Mr. Meigs moved to amend Mr. Ordway's motion by striking out the word "three," and insert "five."

Mr. Bouck moved to lay the amendment on the table;

Which, upon a division, was lost.

Mr. Bouck moved to recommit the whole matter to the committee on Town and County Organization.

Mr. Cole moved that the Speaker fill the vacancy in said committee by appointing a new member;

Which the Speaker decided out of order.

Mr. Cole moved that the committee on Town and County Organization be instructed to report within three days;

Pending which,

The morning hour expired.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has refused to order to a third reading,

No. 203, A., a bill for an act to amend section 2, of chapter 134, of the Revised Statutes relative to executions, and proceedings supplementary thereto;

I am further directed to inform you that the Senate has concurred in the passage of,

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1855, entitled "an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;"

With an amendment,

And asks the concurrence of the Assembly in the amendment.

And also,

That the Senate has passed, and asks the concurrence of the Assembly in,

J. Res. No. 14, S.,

For the appointment of a joint committee on the Geological Survey;

Senators Davis and Simpson, being the committee on the part of the Senate.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly to

No. 121, S., an act to authorize the Lumberman's Bank to reduce its capital stock;

No. 122, S., an act to authorize the Bank of Moneka to reduce its capital stock;

No. 126 S., a bill for an act to authorize the Northern Bank to reduce its capital stock.

And further:

That the Senate has concurred in the passage of

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock.

No. 86, A., a bill for an act to provide for the disposal and expenditure of the Drainage Fund in the county of Waushara.

And has passed

No. 137, S., a bill for an act to authorize the Commissioners of School and University Lands to assign a certain Mortgage.

No. 189, S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock.

I am further directed to present to you for signature.

No. 78, S., an act to side jurisdiction to the United States over certain tracts of land in the counties of Brown, Kewaunee, Oconto and Door.

No. 101, S., an act to amend chapter 263 of the Private and Local Laws of 1857, entitled "an act to incorporate the Muscoda and Richland Bridge Company."

Said bills were signed by the Speaker.

SENATE MESSAGE

Taken up.

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit;

Was postponed until the 25th inst.

No. 88, S., a bill for an act to authorize the issuing patents to deceased persons in certain cases;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled "of forgery and counterfeiting;"

No. 118, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

And

No. 117, S., an act to provide for the removal of the county seat of Buffalo county;

Were read the first and second times.

Nos. 88, 117 and 118, S.,

Were placed on the general file, and

No. 107, S.,

Was referred to the committee on the Judiciary.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 58, S., a bill for an act to confer certain powers upon the trustees of the village of Monroe;

No. 153, S., a bill for an act to appropriate to A. L. Burke the sum of \$264 20;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Ballantine, Barnum, Blackman, Bouck, Bovay, Bow, Bunn, Clise, Cobb, Coles, DeWolf, Dickson, Fairchild, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Jackson, Judd, Mackay, McKay, Meigs, Miller, Mitchell, Moore, Rankin, Seaton, Spottswood, Stannard, Sumner, Townsend, VanderCook, Weage, Westby, Wheeler, Whittlesey, Wiley, Wood and Mr. Speaker—45

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Bettis, Beath, Boyd, Brooks, Child, Cole, Dockry, Elmore, Griswold, Howland, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mulholland, Munn, Neville, Ordway, Palmer, Patchin, Robertson, Ruan, Schmidtner, Simpson, Smith, Sutton, Westcott, Whiting, Winter and Young—38.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time, and passed:

No. 99, A., a bill for an act to amend sections 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

No. 143, A., a bill for an act restoring Levi B. Hannan to citizenship;

No. 183, A., a bill for an act relating to the estate of T. J. VanderBrock;

No. 278, A., a bill for an act to amend section 28, of chapter 132, of the Revised Statutes, entitled "issues made of trial and judgments in civil actions;"

No. 108, A., a bill for an act to amend chapter 43, of the Revised Statutes, entitled "of strays, and lost money and goods;"

No. 238, A., a bill for an act relating to the support of the poor, in counties where the distinction between county and town poor exists;

No. 48, A., a bill for an act to repeal chapter 210, of the General Laws of 1859, entitled "an act to provide a permanent school library fund;"

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Goodwin, Griffin, Griswold, Grover, Hartung, Howland, Humann, Judd, Kiefer, Kingsbury, Lewis, Mitchell, Mulholland, Munn, Nash, Neville, Ordway, Robertson, Rogers, Ruan, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, VanderCook, Weage, Whittlesey, Whiting, Winter and Young—51.

Those who voted in the negative were,

Messrs. Baldwin, Ballantine, Bartlett, Bettis, Blackman, Bovay, Bunn, Child, Clise, Dickson, Golden, Hammarquist, Hayden, Holton, Jackson, Keogh, Langland, McKay, Meigs, Miller, Moore, Palmer, Patchin, Phillips, Schmidtner, Spottswood, Wescott, Wiley and Wood—29.

No. 317, A., a bill for an act to appropriate to Church & Hawley the sum of \$198 61 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Bartlett, Bettis, Bovay, Brooks, DeWolf, Elmore, Fairchild, Griffin, Griswold, Grover, Hammarquist, Holton, Judd, McKay, Miller, Mitchell, Moore, Munn, Nash, Palmer, Patchin, Rogers, Schmidtner, Simpson, Smith, Sumner, Sutton, VanderCook, Weage, Wescott, Whiting and Wood—38.

Those who voted in the negative were

Messrs. Barnum, Beath, Blackman, Bouck, Bow, Boyd, Coles, Dickson, Dockry, Golden, Hartung, Howland, Humann, Jackson, Keogh, Kiefer, Langland, Meigs, Mulholland, Robertson, Seaton, Stannard, Wiley, Winter and Young—25.

No. 287, A., a bill for an act to amend section 55, of chap. 133, of the Rev. St., entitled "of costs and fees."

The ayes and noes were called, and

The bill was lost by the following vote:

Those who voted in the affirmative were:

Messrs. Barnum, Bartlett, Beath, Bouck, Cobb, Dickson, Elmore, Fairchild, Golden, Griffin, Griswold, Grover, Judd, Keogh, Munn, Ordway, Palmer, Robertson, Ruan and Whittlesey—20.

Those who voted in the negative were:

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Bettis,

Blackman, Bow, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cole, Coles, DeWolf, Dockry, Goodwin, Hammarquist, Hartung, Hayden, Holton, Howland, Humann, Jackson, Kiefer, Kingsbury, Langland, Lewis, McKay, Meigs, Miller, Mitchell, Moore, Mulholland, Nash, Neville, Patchin, Phillips, Rankin, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Vander Cook, Weage, Westby, Wescott, Wheeler, Whiting, Wiley, Winter, Wood, and Young—60.

No. 290, A., a bill for an act to appropriate to Hitchcock & Co., the sum of \$1,242 25 ;

The ayes and noes being required,

The bill was lost by the following vote :

Those who voted in the affirmative were

Messrs. Bouck, Bovay, Bow, Bunn, Child, Clise, Cole, Coles, Fairchild, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Holton, Humann, Hunkins, Jackson, Kingsbury, Mulholland, Munn, Neville, Ordway, Patchin, Rankin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Weage, Wood and Mr. Speaker—38.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Barnum, Bettis, Beath, Blackman, Boyd, Brooks, Bugh, Cobb, DeWolf, Dickson, Dockry, Elmore, Griswold, Hayden, Hesk, Howland, Judd, Keogh, Kiefer, Langland, Lewis, McKay, Meigs, Miller, Mitchell, Moore, Nash, Phillips, Robertson, Rogers, Sutton, Upson, VanderCook, Westby, Wescott, Wheeler, Whittlesey, Whiting and Young—48.

Mr. Elmore moved to reconsider the vote by which the Assembly refused to order to a third reading,

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96;

Which was agreed to,

And said bill was recommitted to the committee on Claims.

Mr. Hunkins, on leave, introduced

Res. No. 92., A.,

Resolved, That the Sergeant-at-Arms be, and is hereby directed to have the cold air flues in the Assembly Hall, lately opened by the order of the Assembly, closed until he can have the registers placed on the same;

Which being of a privileged character,

The question was taken, and

The resolution adopted.

On motion of Mr. Holton,

The Assembly adjourned.

FRIDAY, FEBRUARY 24, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

The reading of the journal of yesterday was dispensed with

The following named gentlemen were granted leave of absence:

Messrs. Simpson, Seaton, Altenhofen, Dockry, Elmore, Alhauser and Wheeler, for three days ;

Messrs. Bow and Winter, for two days ;

Mr. Vander Cook, for five days ;

Mr. Barden, for an indefinite time.

Mr. Elmore moved to reconsider the vote by which the Assembly refused to pass

No. 290, A., a bill for an act to appropriate to Hitchcock & Co., the sum of \$1,242 25;

Which was agreed to, and

No. 290, A., was made the special order for Thursday next, at 11 o'clock.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Wiley:

Mem. No. 223, A., of Loren Peterson, for relief ;

To committee on the Judiciary.

By Mr. Grover:

Mem. No. 224, A., of 26 members of the Board of Supervisors of Dane Co., to abolish the present system of county government, and establish the Commissioner system ;

To select committee under J. Res. No. 41 A.

By Mr. Neville :

Mem No. 225, A., remonstrance of the Green Bay and Madison R. R. Co. ;

To committee on Railroads.

And

Mem. No. 226, A., for a State road from sections 14 and 15, town 22, range 21, to the City of Green Bay ;

To committee on Roads, Bridges and Ferries.

By Mr. Palmer:

Mem. 227, A., of Col. Rufus King, Capt. John Starkweather and others, officers of the Milwaukee Light Guard and of the first Regiment of the Wisconsin State Militia, for a law making the 22d of February a legal holiday;

To committee on Banks and Banking.

Also,

Mem. No. 228, A., of Carl Busach and 650 others, citizens of Milwaukee, for a bridge across the Milwaukee river from Pleasant to Dock street;

And

Mem. No. 229, A., of C. Bart and 49 other residents of Milwaukee, for a bridge across the Milwaukee river from Pleasant to Dock street;

And

Mem. No. 230, A., of Samuel Morse and 24 others, for a bridge across the Milwaukee river from Pleasant to Dock street;

And

Mem. No. 231, A., of Lowell Lincoln and 10 others, residents of Milwaukee, for a bridge across the Milwaukee river from Pleasant to Dock street;

And

Mem. No. 232, A., of Charles Herman and 7 others, citizens of Milwaukee, for a bridge across the Milwaukee river from Pleasant to Dock street;

Were severally referred to the committee composed of the Milwaukee delegation.

By Mr. Goodwin:

Mem. No. 233, A., communication of S. W. Smith, of Manitowoc, in regard to his proceedings as agent of school land commissioners;

To committee on Militia.

By Mr. Speaker:

Mem. No. 234, A., remonstrance of John G. Conroe and 40 others, citizens of Racine, against repealing the law authorizing debts to be deducted from the value of personal property, for the purpose of taxation;

To Select committee under Res. No. 22, A.

RESOLUTIONS INTRODUCED.

By Mr. Goodwin:

J. Res. No. 23, A.,

Resolved, by the Assembly, the Senate concurring, That the Superintendent of Public Property be authorized to distribute

to each of the clerks of the Joint Investigating Committee upon the certificate of the chairman of said committee, that they are such clerks, three dollars worth of postage stamps, and stationery to an amount not exceeding five dollars ;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Palmer :

No. 351, A., a bill to amend an act entitled "an act to incorporate the Green Bay, Milwaukee and Chicago Railroad Co.," approved March 13, 1851, and the acts amendatory thereto ;

To committee on Railroads.

And

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg Plankroad Co. ;

To committee on Incorporations.

By Mr. Grover :

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace of the county of Dane ;

To committee on the Judiciary.

By Mr. Neville :

No. 354, A., a bill for an act to amend an act entitled "an act to incorporate the Peshtigo Lumbering and Manufacturing Co.," approved October 11, 1856, and the amendments thereto ;

To committee on Incorporations.

By Mr. Boyd :

No. 355, A., a bill for an act to authorize the Corn Planter's Bank of Waupaca, to reduce its capital and remove its place of business ;

To committee on Banks and Banking.

By Mr. Schmidtner :

No. 356, A., a bill for an act to fix the salaries and regulate the fees of county and city officers of the county and city of Milwaukee ;

To committee composed of the Milwaukee delegation.

By Mr. Bartlett :

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the nonpayment of taxes for the year 1857 ;

To Committee of the Whole.

By Mr. Coles :

No. 358, A., a bill to repeal chap. 46, of the General Laws of 1860, entitled "an act to extend the time for collection of taxes in the town of Freedom, in the county Outagamie ;"

On motion of Mr. Coles,
The rules were suspended, and

No. 358, A.,

Was read a third time and passed, and the title agreed to.

By Mr. Lewis:

No. 359, A., a bill to amend section 9, chapter 2, of an act entitled "an act to incorporate the city of Fond du Lac," approved March 19, 1852;

To committee on Incorporations.

And,

No. 360, A., and a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 24, 1859;

To committee on Education.

By Mr. Whittlesey:

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls ;

To committee on Swamp and Overflowed Lands.

And,

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

To committee on Swamp and Overflowed Lands.

By Mr. Fairchild:

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock;

To committee on Banks and Banking.

By Mr. McKay:

No. 364, A., a bill for an act to amend section 55, of chapter 22, of the General Laws of 1859, relating to fees of county officers;

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Incorporation, to whom was referred

No. 335, A., a bill for an act to enable the corporation of the village of Sparta to construct side-walks and otherwise improve the streets of said village.

No. 157, A., a bill for an act to amend an act entitled an act to incorporate the Mutual Life Insurance company, of the city of Madison, approved March 19, 1859.

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with its bondholders.

No. 273, A., a bill for an act to amend the charter of the City of Appleton.

Have had the same under consideration, and have instructed me to report them severally back to the Assembly without amendment, and recommend their passage.

The said committee have also had under consideration:

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee,

Which was re-referred to your committee, with instructions to prepare a general bill, and have taken the subject under consideration, and have, in pursuance to such instructions, prepared a bill entitled

"No. 365, A., a bill for an act to provide for the organization of Benevolent, Charitable, Scientific and Literary Societies,"

Which is herewith submitted to the Assembly, and its passage recommended.

Your committee also report back the following bills, and recommend that they be severally laid on the table, for the reason that the general bill herewith submitted is intended to provide for the organization of Societies similar to those severally contemplated by these bills, to wit:

No. 293, A., a bill for an act to incorporate the Hesperian Literary Society of Baraboo, Wis.

No. 162, S., a bill for an act to incorporate the Northwestern Scientific Association;

And

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee.

R. BUNN, *Ch'n.*

No. 157, A.,

Was ordered to be engrossed.

No. 365, A.,

Was read twice and sent to the general file.

The committee on Enrolled Bills report that they have compared and examined the following bills, and find the same correctly enrolled:

No. 190, A., a bill for an act to permit the Bank of Beloit to reduce its capital stock;

No. 36, A., a bill for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara.

C. MILLER, *of Assembly Com.*

The committee on Swamp and Overflowed Lands, to whom was referred

Mem. No. 279; A., of E. L. Hubbard and others, with regard to the disposal of the swamp and overflowed lands of this State;

Have had the same under consideration, and have instructed me to report the same back and recommend its indefinite postponement.

Also,

No. 343, A., a bill for an act to provide for laying out a State road from Shawano to the State line;

And report the same back with the recommendation that it do pass.

A. WHITTLESEY, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred,

Mem. No. 208, A., of A. Murray and 23 others, citizens of Shawanaw county, for the relief of Matthias Swachana, a settler of section 16, town 26, range 16;

Have had the same under consideration, and recommend that the prayer of the petitioners be granted as provided in bill

No. 338, A.

EDWARD D. HOLTON, *Ch'n.*

The committee on Internal Improvements, to whom was referred, bill

No. 342, A., a bill for an act to authorize the city of Portage to maintain a levee;

And

Mem. No. 211, A.,

On the same subject,

Have had the same under consideration, and have instructed me to report the same to the Assembly with a recommendation that it do pass.

W. J. BROOKS, *Ch'n.*

The committee on the Judiciary to whom was referred
Res. No. 54, A.,

Requiring them to prepare and report a bill for the assessment of damages to the owners of lands, sustained on account of laying out or opening any State road;

Agreeable to the instructions therein contained, have prepared a bill, and instructed me to report the same to the Assembly, and recommend its passage.

WM. P. BARTLETT.

Said bill being

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Was read first and second times, and referred to the general file.

The committee on the Judiciary, to whom was referred;

Mem. No. 219, A., mem. of G. A. Gardner, praying for an act to give to justices of the peace jurisdiction in actions for waste, in certain cases;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and ask to be discharged from the further consideration thereof; your committee having agreed to report *against* a bill carrying out the object prayed for by the memorialist.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back, and recommend that the enacting clauses thereof be severally stricken out:

No. 341, A., a bill for an act to extend to justices of the peace jurisdiction in actions of waste;

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the County Board of Supervisors of Oconto County;

No. 326, A., a bill for an act to amend section 12, of chapter 157 of the Revised Statutes, entitled of forcible entries and unlawful detainers;

No. 316, A., a bill for an act to amend section 12 of chapter 140 of Revised Statutes, relative to entries of judgments on warrant of warrant;

No. 325, A., a bill for an act to amend sec. 35, of chapter 133, of the Revised Statutes, entitled "of fees of jurors."

No. 339, A., a bill for an act to amend sec. 205, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace."

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 48, A., a bill for an act relating to the fire departments in the cities and villages of this State, and to amend chapter 190, of the General Laws of 1859, entitled "an act to regulate insurance companies not incorporated by the State of Wisconsin."

No. 174, A., a bill for an act to amend chapter 113, of the General Laws of 1859, and chap. 153, of the Revised Statutes, entitled "of the liens of mechanics and others."

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison Railroad.

No. 214, A., a bill for an act to amend sections 1 and 2, of chap. 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State."

No. 274, A., a bill for an act to amend sec. 87, chap. 13, of the Revised Statutes, entitled "of counties and county officers."

No. 306, A., a bill for an for the relief of Sheboygan county.

M. HOWLAND, *Ch'n.*

The committee on the Judiciary, to whom was referred

Mem. No. 135, A., memorial of the board of supervisors of Milwaukee county, praying the restoration of the death penalty;

Have had the same under consideration, and the majority of the committee, (Messrs. Cobb and Bartlett dissenting,) have instructed me to report thereon by bill

No. 367, A., a bill to amend chapter one hundred and sixty-four (164) of the Revised Statutes, entitled "of offences against the lives and persons of individuals," and to provide for the punishment of the crime of murder in the first degree;

And recommend the passage thereof.

H. L. PALMER.

No. 367, A.,

Was read twice, and

Referred to the general file.

The committee on the Judiciary, to whom was referred bill

No. 322, A., entitled a bill for an act to amend section 2, of chapter 63, of the Revised Statutes;

Have the same under consideration, and a majority of the committee, (Messrs. Palmer and Cobb dissenting,) have instructed me to report the same back to the Assembly and recommend that the enacting clause thereof be stricken out.

DAVID S. ORDWAY.

The committee on Claims, to whom was referred bills

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96;

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for an appropriation of money for the payment thereof;

Have had the same under consideration, and report them back with the recommendation that they do pass.

Also account

No. 62, A., the account of B. Throop, for buffalo robe furnished S. W. Smith, agent for school and swamp land commissioners, for the use of the survey;

Have considered the same, and report it back with the recommendation that it be disallowed.

HEBER SMITH, *Ch'n.*

Bill No. 298, A., was ordered to be engrossed.

The committee on Mining and Smelting, to whom was referred

No. 169, A., a bill regulating the rights of miners and persons digging for lead ore;

Has considered the same, and report it back with amendments, and recommend its passage when so amended.

S. F. CLISE, *Ch'n.*

The joint committee on Enrolled Bills, report that on the 24th inst., they presented to the Governor, for his approval, the following bills, viz:

No. 20, A., a bill for an act to amend chapter 3, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices;"

No. 184, A., a bill for an act authorizing the commissioners of school lands to vacate a certain sale to Ephraim Cole;

No. 310, A., a bill for an act amendatory of, and supplemental to an act entitled "an act to provide for the re-assessment of certain taxes in the city of Racine for the years 1856 to 1859, inclusive," approved Feb. 10th, 1860.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

The select committee on the affairs of the Fox and Wisconsin River Improvement Company, to whom was referred,

No. 334, A., a bill for an act for the relief of settlers upon the even sections of Fox and Wisconsin Improvement Company;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend the passage of the bill as amended.

H. B. MUNN, *Ch'n.*

The select committee consisting of the delegation from Fond du Lac county, to whom was referred

No. 57, A., a bill for an act to provide for the disposal of the drainage fund monies in the county of Fond du Lac;

Have had the same under consideration, and report the bill back with the recommendation that it do pass.

JOHN BOYD,
B. H. BETTIS,
W. T. BROOKS,
JNO. C. LEWIS,
A. E. BOVAY.

The committee on Education, S. and U. Lands, to whom was referred,

No. 328, A., a bill for an act to authorize the district board of joint school district No. 2, of the town and city of Ripon, to collect a tax;

No. 338, A., a bill for an act for the relief of settlers on north-east quarter, section 16, town 26, range 16, in Shawanaw county;

No. 281, A., a bill for an act to amend subdivision 4, of section 11, of chapter 23, of the Revised Statutes, entitled "of common schools;"

Have had the same under consideration and respectfully report them back with the recommendation that they do severally pass.

EDWARD D. HOLTON, *Ch'n.*

The committee composed of the Walworth county delegation to whom was referred,

No. 264, A., a bill for an act to amend an act entitled "an act to incorporate the village of Geneva;"

Report the same back with amendments, and recommend its passage.

C. MILLER, *Ch'n.*

The amendments to said bill were agreed to,

The rules were suspended,

The bill read the third time,

And passed as amended.

The committee on Railroads to whom was referred

No. 55, A., a bill for an act to amend chapter 211, of the Laws of 1859, entitled an act to provide for the election of directors of railroad and other corporations in certain cases.

Also,

No. 202, A., a bill for an act to amend an act entitled an act to incorporate the Sheboygan and Appleton Railroad company, approved March 29, 1855.

Also,

No. 336, A., a bill for an act to repeal section 40, of chapter 79, of the Revised Statutes, entitled of railroads.

Have had said bills under consideration and have instructed me to report them back to the Assembly with the recommendation that they be indefinitely postponed.

WM. E. WHEELER, *Ch'n.*

The committee on the Judiciary, to whom were referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly and recommend that they severally do pass.

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled "of forgery and counterfeiting."

No. 313, A., a bill to amend chapter 88, of the General Laws of 1857, entitled an act to authorize the establishment of a House of Refuge for Juvenile Delinquents, in the State of Wisconsin."

No. 337, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the years 1860 and 1861.

AMASA COBB, *Ch'n.*

The Jefferson county delegation, to whom was referred bill No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

Have had the same under consideration, and respectfully report the same back to the House with substitute, and recommend the passage of such substitute.

All of which is respectfully submitted.

C. G. HAMMARQUIST.

The joint committee of conference to whom was committed No. 48, S., a bill for an act to amend an act entitled an act to prevent the sale of unripe cranberries, approved March 17th, 1859;

Have had the same under consideration and respectfully report—that whereas, on the 8th inst., the Assembly passed the above mentioned bill with an amendment, it is proper and expedient that the Assembly recedes and the bill pass without amendment.

H. W. CURTIS,

M. J. EGAN,

Of Senate Committee.

ALBERT WOOD,

GEO. S. BARNUM,

BENJ. HUNKINS,

Of Assembly Committee.

The report was agreed to, and the Assembly receded from its amendment to said bill.

The select committee consisting of the Fond du Lac delegation to whom was referred

No. 340, A., entitled a bill for an act to extend the time for collecting taxes in the town and city of Ripon;

Having had the same under consideration, report it back with an amendment, and recommend that it do pass when so amended.

A. E. BOVAY, *Ch'n.*

The amendment to said bill was agreed to, and

On motion of Mr. Bovay,

The rules were suspended, the bill read the third time, and passed.

The committee consisting of the delegation from the county of Dodge to whom was referred

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge to retain license money in their town, city or village treasuries ;

Would report the same back recommending its passage.

H. C. GRIFFIN, *Ch'n.*

Said bill was ordered to be engrossed.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to present to you for signature,

No. 56, S., an act to authorize the Mechanic's Bank, Green Lake, to remove to the village of Whitewater, Walworth county.

No. 70, S., an act relating to the publication of legal notices.

No. 75, S., an act to amend chap. 205, of the General Laws of 1859, entitled "an act to repeal so much of chapter 28, of the Revised Statutes as authorizes or directs the appraisal of the school or university lands," approved March 21, 1859.

No. 84, S., an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane.

No. 91, S., an act to amend subdivision 3, sec. 45, chapter 23, of the Revised Statutes, entitled "of common schools."

No. 94, S., an act to authorize the Oakwood Bank to reduce its capital stock.

No. 103 S., an act to authorize the Green Bay Bank to reduce its capital and remove its place of business ;

No. 163, S., an act to amend chapter 252 of the local laws of 1858, entitled an act to amend an act entitled an act to incorporate the City of La Crosse, approved March 14th, 1856.

M. C. No. 2, S., memorial to Congress for a daily mail route from the village of Lake Mills to the village of Jefferson, in the county of Jefferson, Wisconsin.

I am further directed to inform you that the Senate has amended, and concurred in as amended ;

No. 140, A., a bill for an act to change the time of holding terms of Circuit Court for the County of Dane.

Said bills were signed by the Speaker.

BILLS AND RESOLUTIONS FROM THE SENATE,

On their first and second reading :

No. 121, S., a bill for an act to authorize the Lumberman's Bank to reduce its capital stock;

No. 122, S., a bill for an act to authorize the Bank of Monoka to reduce its capital stock ;

No. 126, S., a bill for an act to authorize the Northern Bank to reduce its capital stock ;

No. 137, S., a bill for an act to authorize the Commissioners of School and University lands to assign a certain mortgage ;
And

No. 189 S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock ;

Were read first and second time,

And placed on the general file.

J. Res. No. 14 S.:

For the appointment of a joint committee on the geological survey;

Was concurred in, and the Speaker announced Messrs. Cobb, Seaton and Whittlesey, as said committee on the part of the Assembly.

The Senate amendment to

No. 82, A., a bill for an act to amend sec. 1, of chap. 266, of the private laws of 1855, entitled an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Co.;

Was concurred in.

READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 211, A., a bill for an act to authorize the county of Brown to aid in the construction of the Green Bay and Madison Railroad;

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State;"

No. 274, A., a bill for an act to amend section 87, chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

No. 305, A., a bill for an act to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 3d, 1854;

No. 306, A., a bill for an act for the relief Sheboygan county;

And,

No. 174, A., a bill for an act to amend chapter 113, of the General Laws of 1859, and chapter 153, of the Revised Statutes, entitled "of the lien of mechanics and others;"

On motion of Mr. Moore,

The title to

No. 174, A.,

Was amended so as to read as follows:

"An act to repeal section 1, of chapter 113, of the General Laws of 1859, entitled "of the lien of mechanics and others;"

No. 48, A., a bill for an act relating to the Fire Departments in the cities and villages of this state, and to amend chapter 190, of the General Laws of 1859, entitled "an act to regulate Insurance Companies, not incorporated by the State of Wisconsin,"

Was referred to the committee on claims.

Mr. Cobb moved to refer

No. 131, A., a bill for an act to provide for the removal of the county seat of Iowa county,

And

No. 201, A., a bill for an act to provide for the removal of the county seat of Lafayette county,

To a select committee of three;

Mr. Bouck moved to amend by striking out "a select committee of three" and insert "to the committee on Town and County Organization;"

Which amendment was accepted by Mr. Cobb.

Mr. Bouck moved to lay the whole matter on the table;

Which was not agreed to.

Mr. Cole moved that said committee be instructed to report the facts in the case to this House at their earliest convenience:

Which was agreed.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills.

Mr. Blackman in the chair:

After some time spent therein, the committee rose and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills, with the several recommendations accompanying the same, and asked leave to sit again;

Which was granted.

No. 89, S., a bill for an act for relief of Nathan B. Langdon and others;

And

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved October 13, 1856;

With amendments.

No. 88, S., a bill for an act to authorize the issuing patents to deceased persons in certain cases;

No. 118, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 255, A., a bill for an act to amend section 5, of chapter 181, of the Revised Statutes, entitled "of judgments in criminal cases, and the execution thereof;"

No. 273, A., a bill for an act to amend the charter of the city of Appleton;

No. 338, A., a bill for an act for the relief of settlers on north-east quarter of section 16, town 26, range 16, in Shawano county;

No. 335, A., a bill for an act to enable the corporation of the village of Sparta to construct sidewalks and otherwise improve the streets of said village;

And

No. 342, A., a bill for an act to authorize the city of Portage to maintain a levee;

Without amendment.

No. 318, A., a bill for an act to appropriate to S. G. Benedict the sum of \$10 ;

With recommendation of leave to withdraw the account.

No. 162, S., a bill for an act to incorporate the Northwestern Scientific Association ;

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee ;

And

No. 293, A., a bill for an act to incorporate the Hesperian Society of Baraboo, Wis.;

With recommendation that they be laid on the table.

No. 53, S., a bill for an act providing for the enclosing of railroads by fences and cattle guards ;

With recommendation of reference to committee on Railroads.

No. 87, S., a bill for an act to legalize the proceedings of the district board of school district No. 5, of the town of Platteville, Grant county ;

With recommendation of reference to committee on Education.

No. 117, S., an act to provide for the removal of the county seat of Buffalo county ;

With recommendation of reference to committee on Town and County Organization.

No. 341, A., a bill for an act to extend to justices of the peace jurisdiction in actions for waste ;

With recommendation that the enacting clause be stricken out.

No. 365, A., a bill for an act to provide for the incorporation Benevolent, Charitable, Scientific and Literary Societies ;

With recommendation of reference to committee on the Judiciary.

REPORT OF COMMITTEE OF THE WHOLE,

Considered:

The amendments to

Nos. 89, S., and 213, A.,

Were concurred in.

Nos. 88, 89 and 118, S.;

Were ordered to a third reading.

Nos. 255, 213, 273, 335, 338 and 342, A.;

Were ordered engrossed for a third reading.

On motion of Mr. McKay:

The rules were suspended,

And

No. 335, A.,

Was read a third time and passed, and the title agreed to.

No. 318, A.,

Leave to withdraw was granted.

Nos. 162, S., and 168 and 293, A.,

Were laid on the table.

No. 53, S.,

Was referred to committee on Railroads.

No. 87, S.,

Was referred to committee on Education.

No. 117, S.,

Was referred to the committee on Town and County Organization.

No. 365, A.,

Was referred to committee on the Judiciary.

On motion of Mr. Hunkins:

The Assembly adjourned.

SATURDAY, FEBRUARY 25th, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Britton officiated as chaplain.

On motion of Mr. Smith, the reading of the Journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence:

Mr. McKay, for an indefinite time ;

Messrs. Goodwin, Hartung, Mitchell, Humann, Nash, Westcott, Grover, Hayden, until Monday next at 3 P. M. ;

Messrs. Child and Westby, until Tuesday next ;

Mr. Upson, until Wednesday next ;

Messrs. Whiting, Blackman and Horton, for one day ;

Messrs. Baldwin, Langland and Hesk, for two days ;

Mr. Alden moved that the Assembly adjourn until 3 P. M. Monday ;

But subsequently withdrew said motion.

Mr. Judd moved that when the Assembly adjourned it adjourn until 3 o'clock, P. M., Monday.

The ayes and noes were called for and ordered ;

And the Assembly agreed to adjourn by the following vote:

Those voting in the affirmative, were

Messrs. Alden, Ballantine, Bartlett, Bettis, Beath, Bouck, Brooks, Bugh, Bunn, Clise, Cobb, Cole, Coles, DeWolf, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Horton, Howland, Humann, Judd, Kiefer, Kingsbury, McMichael, Miller, Moore, Nash, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Smith, Spotswood, Stannard, Sumner, Sutton, Weage, Wheeler, Whittlesey, Wood and Mr. Speaker.

—47.

Those voting in the negative, were

Messrs. Barnum, Boyd, Green, Horn, Jackson, Mackay, Mulholland, Munn, Neville, Rankin, Robertson, Seaton, Townsend and Young.—14.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Palmer:

Mem. No. 235, A., of John B. and William Vleit against

repealing the charter of the Wisconsin River Hydraulic Company;

To committee on Internal Improvements.

By Mr. Munn:

Mem. 236, A., remonstrance of J. Bowman and 60 others, against the repeal of the act authorizing the construction of the dam at Kilbourn city;

To committee on Internal Improvements.

By Mr. Speaker:

Mem. No. 237, A., remonstrance of Wm. Beswick and 37 other citizens of Racine, against the passage of a law which does not allow debts to be deducted from the value of personal property for the purpose of taxation;

To Select committee under Res. No. 22, A.

By Mr. Ruan:

Mem. No. 238, A., in behalf of the inhabitants of the towns of Milwaukee, Franklin, Greenfield, Wauwatosa, Granville, Lake and Oak Creek, in Milwaukee county;

To committee on Town and County Organization.

On motion of Mr. Wheeler,

The rules were suspended, and

No. 189, S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock;

Was taken from the general file,

Read a third time, and concurred in.

Mr. Humann moved to adjourn,

Which was not agreed to.

On motion of Mr. Townsend,

The rules were suspended, and

No. 142, A., a bill for an act relative to persons mining for lead ore or other minerals;

Was re-committed to the committee on Mining and Smelting.

On motion of Mr. Fairchild,

The rules were suspended, and

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane;

Received from the Senate with an amendment,

Was taken up,

And said amendment concurred in.

Mr. DeWolf stated that

No. 275, A., a bill for an act to amend sections 69 and 70 of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

Was, on the 21st inst., ordered engrossed for a third reading, which did not so appear on the printed journal;

Whereupon the Clerk was directed to correct the entry and journal accordingly.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 63, the account of S. G. Benedict.

And

No. 64, the account of Louis Gootman.

RESOLUTIONS CONSIDERED.

J. Res. No. 23, A.,

Appropriating to the clerk of joint Investigating committee, \$3 worth of postage stamps and \$5 worth of stationery;

Introduced by Mr. Goodwin, yesterday,

Was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Palmer;

No. 368, A., a bill for an act to facilitate the collection of judgments;

To committee on the Judiciary.

And

No. 369, A., a bill for an act to amend section 1, of chapter 115, of the Revised Statutes, entitled "of the Supreme Court;"

To committee on the Judiciary.

By Mr. Horn :

No. 370, A., a bill for an act to incorporate the Theirsville fire engine company;

To committee on Incorporations.

And

No. 371, A., a bill for an act to amend chapter 95, of the Revised Statutes, entitled "of the rights of married women ;"

To the committee on the Judiciary.

And

No. 372, A., a bill for an act to authorize the commissioners of school and university lands to refund a certain sum of money to Joseph Goldsmith;

To committee on Education.

By Mr. Bartlett:

No. 373, A., a bill for an act to amend section 159, of chap-

ter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

To the committee on the Judiciary.

By Mr. Bouck:

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "of arrest and bail;"

To the committee on the Judiciary.

And

No. 375, A., a bill for an act to amend chapter 130, of the Revised Statutes, entitled "of proceedings against debtors by attachment;"

To committee on the Judiciary.

By Mr. Sutton:

No. 376, A., a bill for an act to repeal chapter 186 of the Private and Local Laws, 1859, entitled "an act to divide the town of Shields, in county of Dodge, and annex a portion of said town to the town of Lowell, in said county;"

To committee on Town and County Organization.

By Mr. Speaker:

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 36, of chapter 165, of the Revised Statutes, entitled "of offences against property."

To committee on State affairs.

REPORTS OF COMMITTEES.

The joint committee on Printing to whom was referred bill No. 91, A.,

Report the same back with various amendments and recommend the passage of the same as amended.

GEO. B. GOODWIN, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed under Rule 48;

No. 189, A., a bill for an act to authorize the towns, cities and villages, of the county of Dodge, to retain license moneys in their town, city or village treasuries.

No. 255, A., a bill for an act to amend section 5, of chapter 181, of the Rev. Statutes, entitled "of judgments in criminal cases, and the execution thereof."

No. 273, A., a bill for an act to amend the charter of the city of Appleton.

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96.

No. 338, A., a bill for an act for the relief of the settlers on N. E. quarter of sec. 16, town 26, range 16, in Shawano Co.

No. 312, A., a bill for an act to authorize the city of Portage to maintain a levee.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 174, A., a bill for an act to repeal section 1, chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others;"

No. 264, A., a bill for an act to amend an act entitled "an act to incorporate the village of Geneva;"

No. 340, A., a bill for an act to extend the time for collecting taxes in the town and city of Ripon;

M. HOWLAND, *Ch'n.*

The committee on Claims, to whom was referred account

No. 60, A., the account of Henry Seifert, for engraving and printing 1,000 diagrams of the Assembly chamber;

Have had the same under consideration, and report it back by bill.

No. 378, A., a bill for an act to appropriate to Henry Seifert the sum of \$125;

And recommend said bill do pass.

Also, account

No. 36, A., the account of J. H. Wells, for publishing adjourned sale of forfeited lands;

Have considered the account, and report it back, and recommend that it be disallowed, as it has been paid.

Also, bill

No. 321, A., a bill for an act to provide for the payment of all audited accounts;

Have had the bill under consideration, and report it back, with the recommendation that it do pass.

HEBER SMITH, *Ch'n.*

Bill No. 878, A.,

Was read third time, and referred to the general file.

The joint committee on Enrolled Bills, report that on the 25th instant they presented to the Governor for his approval, the following bills, viz:

No. 249, A., for an act to appropriate to C. V. N. Kittridge the sum of \$188 61;

No. 190, A., for an act to permit the Bank of Beloit to reduce its capital stock;

No. 158, A., for an act to amend chapter 222, of the Session Laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb to Amanda Louisa Brond;"

No. 133, A., for an act to appropriate to Chauncy Abbott the sum of \$200;

No. 89, A., for an act releasing the directors of the Star Rifle Company, of Oshkosh, Winnebago county, from the obligation of a certain bond;

No. 100, A., for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 36, A., for an act to provide for the disposal and expenditure of the drainage fund in the county of Waushara;

No. 91, S., for an act to amend subdivision 3, section 45, chapter 23, of Revised Statutes, entitled "of common schools;"

No. 94, S., for an act to authorize the Oakwood Bank to reduce its capital stock;

No. 103, S., for an act to authorize the Green Bay Bank to reduce its capital, and remove its place of business;

No. 101, S., for an act to amend chapter 263, of the Private and Local Laws of 1857, entitled "an act to incorporate the Muscoda and Richland Bridge Company;"

No. 163, S., for an act to amend chapter 255, of the Local Laws of 1858, entitled "an act to amend an act entitled an act to incorporate the city of La Crosse," approved March 14th, 1856;

No. 75, S., for an act to amend chapter 205, of the General Laws of 1859, entitled act to repeal so much of chapter 28, of the Revised Statutes, as authorizes or directs the appraisal of school and university lands," approved March 21st, 1859;

No. 78, S., for an act to cede jurisdiction to the United States over certain tracts of land in the counties of Brown, Kewaunee, Oconto and Door;

No. 84, S., for an act to confer powers upon the committee of investigation into the financial affairs of the county of Dane;

No. 70, S., for an act relating to the publication of legal notices;

No 56, S., for an act to authorize the Mechanic's Bank, Green Lake to remove to the village of Whitewater, Walworth county;

M. C. No. 2, A., memorial to Congress for a daily mail route from the village of Lake Mills to the village of Jefferson, in the county of Jefferson, Wisconsin.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The committee on the Judiciary to whom was referred

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace of the county of Dane;

Have had the same under consideration, have instructed me to report the same back to the Assembly, without amendment, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, with amendments :

No. 311, A., a bill for an act for the preservation of fish.

No. 312, A., a bill for an act for the preservation of game.

AMASA COBB, *Ch'n.*

The committee on State Prison to whom was referred

The petition of L. M. Parsons and others, in relation to the education of criminals, &c.;

Have instructed me to report the same back with a recommendation that it be indefinitely postponed.

ALBERT ALDEN, *Ch'n.*

The committee on Swamp and Overflowed Lands to whom was referred

No. 361, A., an act to provide for laying out a State road from Ashland, Wis., to Chippewa Falls ;

Also

No. 362, A., an act to provide for laying out a State road from Superior, Wis., to Chippewa Falls ;

Also

No. 324, A., a bill for an act to amend chapter 182, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscobel and Manhattan Bridge Co.;

Have had the same under consideration, and have instructed me to report the same back, with the recommendation that they do pass.

A. WHITTLESEY, *Ch'n.*

The committee on State Affairs to whom was recommitted

No. 116, A., a bill for an act to authorize the Governor to appoint a commissioner of foreign emigration;

Herewith report the same back and respectfully recommend the adoption of the substitute heretofore submitted, together with an additional amendment, and that the bill do pass when so amended.

L. J. FARWELL, *Ch'n.*

L. A. SCHMIDTNER,

JOHN C. NEVILLE.

The amendment was agreed to and the question being on adopting the substitute,

Debate was intimated.

Your committee to whom was referred bill
No. 283, A., a bill for an act to equalize the state tax for
Brown county,

And also,

Mem. No. 175, A., on the same subject,

Respectfully report that they have had the same under consideration, and have called witnesses before them, who are well acquainted with the value of the lands in said county, and whose testimony satisfied this committee that the state equalization on the lands in said county ought not to exceed the sum of four dollars per acre. Your committee therefore report back the said bill to the house, with the recommendation that the same do pass.

L. J. FARWELL, *Ch'n.*
R. C. ROBERTSON,
JOHN C. NEVILLE,
L. A. SCHMIDTNER.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., chief clerk thereof :

MR. SPEAKER:

I am directed to inform you, that the Senate has concurred in Assembly amendment to

No. 187, S., a bill for an act to extend the time for the collection of the state and county taxes in the city of Janesville ;

Also in passage of

No. 345, A., a bill for an act to amend an act entitled an act to incorporate Mineral Point Seminary.

I am further instructed to inform you that the Senate has indefinitely postponed:

No. 80, A., a bill for an act to amend sections 6 and 84, of chapter 19, of the Revised Statutes, entitled of highways and bridges ;

And further, that the Senate has passed, and asks the concurrence of the Assembly in:

No. 32, S., a bill for an act granting certain swamp and overflowed lands to the counties of Crawford, Bad Ax and LaCrosse;

No. 59, S., a bill for an act to amend chapter 79, of the Revised Statutes, passed 1858, entitled railroads.

SENATE MESSAGE TAKEN UP.

No's. 32 and 59, S., were read first and second times;

No. 32, S., was referred to committee on State Lands ;

No. 59. S., was referred to committee on Railroads.

The Senate amendment to
No. 117, A., a bill for an act concerning the term of court in
the fourth judicial circuit ;
Was concurred in.

BILLS ON THIRD READING.

No. 88, S., a bill for an act to authorize the issuing of pat-
ents to deceased persons in certain cases ;

And

No. 118, S., a bill for an act to authorize the Bank of Colum-
bus to reduce its capital stock ;

Were read a third time, and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time, and
passed :

No. 157, A., a bill for an act to amend an act entitled " an
act to incorporate the Mutual Life Insurance Co. of the city of
Madison," approved March 19, 1859.

No. 255, A., a bill for an act to amend sec. 5, of chap. 181,
of the Revised Statutes, entitled " of judgments in criminal
cases and the execution thereof."

No. 273, A., a bill for an act to amend the charter of the
city of Appleton.

No. 275, A., a bill for an act to amend sections 69 and 70,
of chapter 18, of the Revised Statutes, entitled " of the as-
sessment and collection of taxes."

And

No. 342, A., a bill for an act to authorize the city of Port-
age to maintain a levee.

Mr. Horn moved to adjourn,

Which was not agreed to.

On motion of Mr. Bartlett,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Bunn in the chair :

After some time spent therein, the committee rose, and by
their chairman reported that they had had under consideration
the general file of bills, had made progress therein, reported
back the following bills with the several recommendations ac-
companying the same, and asked leave to sit again ;

Leave was granted.

No. 321, A., a bill for an act to provide for the payment of all audited accounts ;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, a justice of the peace of the county of Dane ;

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the non-payment of taxes for the year 1857 ;

No. 378, A., a bill for an act to appropriate to Henry Seifert, the sum of \$125 ;

No. 377, A., a bill for an act to authorize the district board of joint school district No. 2, of town and city of Ripon to collect a tax ;

No. 337, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the years 1860 and 1861 ;

No. 57, A., a bill for an act to provide for the disposal of the drainage fund moneys, in the county of Fond du Lac ;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled "of forgery and counterfeiting ;"

No. 313, A., a bill to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a House of Refuge for juvenile delinquents, in the State of Wisconsin ;"

No. 121, S., a bill for an act to authorize the Lumbermans' Bank to reduce its capital stock ;

No. 122, S., a bill for an act to authorize the Bank of Monoka to reduce its capital stock ;

And

No. 126, S., a bill for an act to authorize the Northern Bank to reduce its capital stock ;

Without amendment.

No. 169, A., a bill regulating the rights of miners and persons digging for lead ore ;

And

No. 334, A., a bill for an act for the relief of settlers upon the even sections of Fox and Wisconsin River Improvement Company ;

With amendments.

No. 55, A., a bill for an act to amend chapter 211, of the Laws of 1859, entitled "an act to provide for the election of directors of railroads and other corporations, in certain cases ;"

No. 202, A., a bill for an act to amend an act entitled "an act to incorporate the Sheboygan and Appleton Railroad Company, approved March 29, 1855 ;"

And

No. 336, A., a bill for an act to repeal section 40, of chapter 79, of the Revised Statutes, entitled "of Railroads;"

With recommendation of indefinite postponement.

No. 325, A., a bill for an act to amend section 33, of chapter 133, of the Revised Statutes, entitled "of fees of jurors;"

With recommendation that the enacting clause be stricken out.

No. 137, S., a bill for an act to authorize the commissioners of school and university lands to assign a certain mortgage;

With recommendation of reference to committee on Education.

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

With substitute, and passage of substitute recommended.

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with its bondholders;

With recommendation of reference to committee on Incorporations.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The amendments to,

No's. 169 and 334, A.,

Were concurred in and

No's. 57, 169, 313, 321, 327, 334, 337, 353, 357 and 378, A.,

Were ordered engrossed for a third reading.

No's., 107, 121, 122 and 126, S.,

Were ordered to a third reading.

On motion of Mr. Palmer,

The rules were suspended, and

No. 121, 122 and 126, S.,

Were read a third time, and concurred in.

The enacting clause to,

No. 325, A.,

Was stricken out.

No's. 55, 202 and 336, A.,

Were indefinitely postponed.

No. 303, A.,

Was referred to committee on Incorporations.

The substitute to,

No. 294, A.,

Was adopted,

And said bill ordered engrossed.

No. 137, S.,

Was referred to committee on Education.

On leave Mr. Bouk introduced

Mem. No. 239, A., of Elisha Clark and others, of Clark county, concerning town and school organization.

Which was referred to the committee on Education.

Also,

No. 379, A., a bill for an act for town and school organization in the county of Clark.

Which was read first and second time, and

Referred to the committee on Education.

On motion of Mr. Ruan,

The Assembly adjourned until Monday at 3 P. M.

MONDAY, FEBRUARY 27, 3 o'clock, P. M.

The Assembly met and was called to order by the clerk, who presented the following communication:

MADISON, Feb. 27, 1860.

L. H. D. CRANE, ESQ., *Chief Clerk of the Assembly*:

DEAR SIR :—I am unexpectedly called home by the intelligence of sickness in my family. I do not know how long I shall be absent, but hope to be at my post again in a few days.

Please communicate this to the Assembly when it convenes this afternoon.

Very respectfully yours,

WILLIAM P. LYON.

Mr. Judd moved that the Assembly proceed to choose a Speaker, *pro tem.* by a viva voce vote;

Which was agreed to.

The roll being called,

Messrs. Alden, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Golden, Hammarquist, Howland, Johnson, Judd, Lewis, McMichael, Miller,

Mitchell, Moore, Nash, Phillips, Robertson, Rogers, Spottswood, Stannard, Sumner, Weage, Wheeler, Whittlesey, Wood and Young—41;

Voted for W. M. Griswold.

Messrs. Beath, Cole, Coles, Fairchild, Green, Griffin, Grover, Hartung, Humann, Jackson, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Mulholand, Munn, Neville, Patchin, Ruan, Seaton, Sutton and Townsend—23;

Voted for H. L. Palmer.

Mr. Griswold voted for Stoddard Judd.

Mr. Palmer voted for John C. Neville.

Mr. Griswold having received a majority of all the votes, was declared duly elected Speaker *pro tem.* of the Assembly.

By request of the Clerk, Messrs. Judd and Palmer conducted the Speaker *pro tem.* to the chair.

After some remarks by the Speaker *pro tem.*,

Mr. Palmer moved that the Clerk be directed to inform the Senate that the Assembly had chosen a Speaker *pro tem.*,

Which motion prevailed.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bouck:

Mem. No. 240, A., of Ripley & Mead and others, concerning the place of filing mortgages on certain classes of personal property;

To delegation from Winnebago, Outagamie, Shawanaw, Waupaca and Mr. Lewis.

By Mr. Golden:

Mem. No. 241, A., remonstrance of Fifth Assembly District of Rock county, against the change of county government;

To select committee under J. Res. No. 41, A.

By Mr. Munn:

Mem. No. 242, A., of John S. Richmond and 30 others, citizens of the town of Caledonia, for the repeal of chapter 236, of the Private and Local Laws of 1859, entitled "an act to lay out a State road from Portage city to Prairie du Sac;

To committee on Roads, Bridges and Ferries.

By Mr. Jackson:

Mem. No. 243, A., of H. A. Eastland and 63 others, citizens of Richland county, asking for the establishment of the commissioner system of county government;

To select committee under J. Res. No. 41, A.

By Mr. Dickson:

Mem. No. 245, A., of W. A. Barstow, in relation to expenses incurred by him while acting as Governor, in answering to a writ of quo warranto;

To committee on the Judiciary.

By Mr. Phillips:

Mem. No. 245, A., of the county Board of Supervisors of the county of Marathon, in relation to drainage fund moneys;

To committee on Swamp and Overflowed Lands.

By Mr. Griffin:

Mem. No. 246, A., remonstrance of James R. Moore and 107 others, of the town of Lowell, against the repeal of chap. 186, of Private Laws of Wisconsin, for the year 1859, being an act to divide the town of Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell in said county;

To committee on Town and County Organization.

By Mr. Clise:

Mem. No. 247, A., remonstrance of D. T. Parkin and 75 others, legal voters of Boscobel, in Grant county, against the passage of a law authorizing a special tax for highway purposes;

To committee on State Affairs.

.ACCOUNTS,

Presented and referred.

By Mr. Fairchild:

No 65, the account of Seth M. Van Bergen.

RESOLUTIONS INTRODUCED.

By Mr. Alden:

Resolution No. 93, A.;

Resolved, That the use of the Assembly Chamber be granted to the Republican State Convention, in the afternoon and evening of Wednesday, the 29th inst.

On motion of Mr. Palmer,

The rules were suspended,

And the resolution adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Bouck:

No. 380, A., a bill for an act prescribing the place of filing chattel mortgages on certain classes of property;

To the delegation from Winnebago, Outagamie, Waupaca and Shawanaw counties, and Mr. Lewis.

By Mr. Bettis:

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

To committee composed of the delegates from Fond du Lac and Dodge counties.

By Mr. Phillips:

No. 382, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Marathon;

To committee on Swamp and Overflowed Lands.

By Mr. Palmer:

No. 383, A., a bill for an act to amend the act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 2, 1852, and to amend the several acts amendatory thereof;

To committee composed of the Milwaukee delegation.

And

No. 384, A., a bill for an act to amend section 53, of chapter 140, of the Revised Statutes, entitled "of miscellaneous proceedings in civil actions, and general provisions;

To committee on the Judiciary.

By Mr. Bartlett:

No. 385, A., a bill for an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river, in said county;

To committee on Roads, Bridges and Ferries.

By Mr. Munn:

No. 386, A., a bill for an act to extend the time for the collection of taxes in the city of Portage;

On motion of Mr. Munn,

The rules were suspended, and

No. 386, A.,

Was read a third time and passed and the title agreed to.

By Mr. Howland:

No. 387, A., a bill for an act to provide for a tax upon dogs;
To select committee under Res. No. 22, A.

By Mr. Neville:

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money, in Brown county;
To Committee on State Affairs.

By Mr. Coles:

No. 389, A., a bill for an act to authorize the several wards of the city of Appleton to organize a fire company;
To committee on Incorporations.

By Mr. Fairchild:

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;
To committee on Claims.

By Mr. Judd:

No. 393, A., a bill for an act to authorize the Commissioners of School and University Lands to remit penalties in certain cases;
To committee on Education.

REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred bill

No. 328, A. a bill "for an act to amend chapter 121 of the General Laws of 1859, entitled an act relating to proceedings for the collection of damages against ships, boats and vessels, and to repeal chapter 150 of the Revised Statutes;"

Have had the same under consideration and instruct me to report the same back to the Assembly with an amendment, and recommend its passage when so amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable, scientific and literary societies;

Have had the same under consideration and instructed me to report the same back to the Assembly and recommend its passage.

AMASA COBB, *Ch'n.*

Said bill,

No. 365, A.,

Was ordered engrossed.

The committee on Enrolled Bills report they have examined and compared the following bills, and find the same correctly enrolled;

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit;

No. 140, A., a bill for an act to change the time of holding terms of circuit court for the county of Dane;

No. 345, A., a bill for an act to amend an act entitled "an act to incorporate the Mineral Point Seminary."

ALBERT WOOD, *of Assem. Com.*

Said bills were signed by the Speaker.

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed under Rule 48:

No. 57, A., a bill for an act to provide for the disposal of the drainage fund monies in the county of Fond du Lac;

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund monies in Jefferson county;

No. 327, A., a bill for an act to authorize the district board of Joint School District No. 2, of the town and city of Ripon to collect a tax;

No. 337, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the years 1860 and 1861;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace for the county of Dane;

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the non-payment of taxes for the year 1857;

And

No. 378, A., a bill for an act to appropriate to Henry Seifert the sum of \$125.

M. HOWLAND, *Ch'n.*

The committee on Claims to whom were referred accounts

No. 63, A., the account of S. G. Benedict, for stamp for use of Attorney General;

No. 64, A., the account of Louis Gootman, for repairing and furnishing furniture for the use of the State, have had the same under consideration and report them back by bills]

No. 391, A., a bill for an act to appropriate to S. G. Benedict, the sum of \$12;

And

No. 392, A., a bill for an act to appropriate to Louis Gootman the sum of \$98 86.

And recommend said bills do pass.

F. A. WEAGE, *Ch'n.*

Said bills

Nos. 391 and 392, A.,

Were read twice and placed on general file.

BILLS ON THIRD READING.

The following bills were severally read a third time and concurred in:

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled "of forgery and counterfeiting;"

No. 89, S., a bill for an act for relief of Nathan B. Langdon and others;

The ayes and noes being required;

By the following vote:

Those voting in the affirmative were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Fairchild, Fischer, Golden, Goodwin, Griswold, Grover, Hammarquist, Holton, Howland, Humann, Jackson, Johnson, Judd, Langland, Lewis, McMichael, Miller, Mitchell, Moore, Nash, Rogers, Stannard, Sumner, Sutton, Weage, Wood, Young—47.

Those voting in the negative, were

Messrs. Barnum, Bouck, Elmore, Griffin, Hartung, Hunkins, Keogh, Kiefer, Kingsbury, Meigs, Mulholland, Munn, Palmer, Seaton, Townsend—16.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed :

No. 57, A., a bill for an act to provide for the disposal of the drainage fund moneys in the county of Fond du Lac ;

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county ;

No. 327, A., a bill for an act to authorize the district board of joint school district No. 2, of the town and city of Ripon, to collect a tax ;

No. 337, A., a bill for an act to authorize the city of Madison, to levy and collect a special tax for the years 1860 and 1861 ;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace of the county of Dane ;

And

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the nonpayment of taxes for the year 1857 ;

Also

No. 338, A., a bill for an act for the relief of settlers on N. E. qr of sec. 16, town 26, range 16, in Shawano county ;

By the following vote :

Those who voted in the affirmative were

Messrs. Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Fairchild, Fischer, Goodwin, Green, Griswold, Hammarquist, Hartung, Holton, Howland, Humann, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Patchin, Phillips, Rogers, Seaton, Spottswood, Stannard, Sumner, Sutton, Townsend, Weage, Whittlesey and Wood—59.

Those who voted in the negative were

Messrs. Elmore, Hunkins, Palmer, Ruan and Young—5.

No. 189, A., a bill for an act to authorize the towns, cities and villages, of the county of Dodge, to retain license moneys in their town, city or village treasuries ;

With reference to the Dodge county delegation.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 10, S., a bill to permanently fix the compensation of the officers and employees of the Legislature ;

Mr. Young moved to refer said bill to a select committee of three ;

Which was agreed to.

The Speaker appointed as said committee

Messrs. Young, Griffin and Holton.

No. 33, A., a bill for an act to lay out a State road from Eau Pleine to Eau Claire ;

Mr. Phillips offered a substitute,

Which was adopted, and

No. 33, A.,

Was ordered to be engrossed.

No. 73, A., bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse ;

And

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county ;

Were ordered engrossed for a third reading.

No. 285, A., a bill for an act to amend section 30, of chapter 7, of the Revised Statutes, relating to the qualifications of voters ;

Mr. Elmore moved to insert after the word "expense,"

"Or the students in any college, or the State University;"

Which was disagreed to.

Mr. Elmore moved to insert after the words "county house,"

"Any college or the State University;"

Which was disagreed to.

Mr. Munn moved to add,

"Provided that the county of Columbia be excepted from the provisions of this act;"

Mr. Neville moved to amend the amendment by inserting after the word "Columbia," the word "Brown;"

Which amendment was accepted by Mr. Munn.

Mr. Palmer moved to insert after the word "Brown" the word "Milwaukee;"

Which was disagreed to.

Mr. Alden moved to indefinitely postpone said bill;

Which was agreed to by the following vote:

Those who vote in the affirmative were

Messrs. Alden, Beath, Bouck, Bovay, Clise, Cole, Coles, Elmore, Fairchild, Fischer, Goodwin, Green, Griffin, Grover, Hartung, Howland, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Mackay, McMichael, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Robertson, Ruan, Seaton, Sumner, Sutton and Townsend—37.

Those who voted in the negative, were

Messrs. Baldwin, Barden, Barnum, Bartlett, Bettis, Blackman, Boyd, Brooks, Bugh, Bunn, Cobb, DeWolf, Dickson, Golden, Griswold, Hammarquist, Holton, Johnson, Judd, Langland, Miller, Mitchell, Moore, Nash, Phillips, Rogers, Stannard, Weage, Whittlesey, Wood and Young—31.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 30, A., a bill for an act to authorize the county board of St. Croix county to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named;

No. 74, A., a bill for an act authorizing the county board of Douglas county, to lay out, establish and improve a road leading from Superior, through unsettled portions of the State, and to appropriate money therefor;

With an amendment, and asks the concurrence of the Assembly in amendment;

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawanaw county;

No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of town insurance companies ;"

No. 111, A., a bill for an act to reduce the capital stock of the Bank of Manitowoc;

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

No. 127, A., a bill for an act to reduce the capital stock of the Farmers and Millers Bank of Milwaukee.

But was indefinitely postponed.

No. 160, A., a bill for an act to amend section seven of chapter 133, of the Revised Statutes, entitled "of costs and fees."

And has concurred in the passage of

No. 187, A., a bill for an act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856;

And

No. 346, A., a bill for an act to amend an act entitled "an act to incorporate the city of Madison," and the several acts amendatory thereto.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 27, S., a bill to amend section 26, of chapter 139, of the Revised Statutes, entitled of appeals and writs of error, and proceedings therein.

No. 142, S., a bill for an act to amend section 1, of chapter 104, of the General Laws of 1859, entitled an act to enlarge the civil jurisdiction of the County Court of La Crosse county;

No. 148, S., a bill for an act to amend section 1, of chapter 51, of the Private and Local Laws of 1858, entitled an act to authorize school district No 5, in the town of Plattville, in Grant county, to borrow money;

No. 156, S., a bill for an act to amend sections 8 and 16, of chapter 540, of the Private and Local Laws of 1856, entitled an act to incorporate the Arena and Dubuque Railroad company;

No. 166, S., an act to amend section 52, of chapter 28, of the Revised Statutes, entitled "of the school and university lands."

On motion of Mr. Hunkins:

The Assembly adjourned.

TUESDAY, FEBRUARY 28, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Sutton,

Reading of the journal of yesterday, dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Cobb :

Mem. No. 248, A., of Joseph H. Clary and other citizens of the city of Mineral Point, for an amendment to the city charter ;

To committee on the Judiciary.

By Mr. Hunkins :

Mem. No. 249, A., of John Cooper and 18 others, citizens of Greenfield, Milwaukee county, for a division of said county ;

To committee on Town and County Organizations.

By Mr. Kingsbury :

Mem. No. 250, A., of A. P. Lyman and 100 others, for a change in the boundaries of the city of Sheboygan ;

To committee on Incorporations.

By Mr. Bunn :

Mem. No. 251, A., remonstrance of Orlando Brown and 330 others, citizens of Buffalo county, against striking off any portion of said county ;

To committee on Town and County Organization.

By Mr. Coles :

Mem. No. 252, A., of S. Ryan, Jr., and 140 others, asking for a change of county government ;

To Select committee under J. Res. No. 41, A.

By Mr. Miller :

Mem. No. 253, A., remonstrance against annexing certain territory to Geneva school district ;

To committee on Education.

ACCOUNT,

Presented and referred to committee on Claims.

By Mr. Cobb:

No. 65, A., the account of Thomas McFarland.

RESOLUTIONS INTRODUCED.

By Mr. Cobb:

Res. No. 94, A.,

Resolved, That when the Assembly adjourn, it adjourn until nine o'clock, to-morrow;

Which being of a privileged character,

The question was taken, and

The resolution adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. McMichael:

No. 394, A., a bill to authorize Board of Trustees of the village of Viroqua to levy a tax;

To committee on Incorporations.

By Mr. Goodwin:

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay;

To committee on Roads, Bridges and Ferries.

And

No. 396, A., a bill for an act for the relief of the riparian owners along the line of the Fox and Wisconsin River Improvement;

To Select committee on that subject.

By Mr. Elmore:

No. 397, A., a bill for an act for restraining Banks from taking unlawful interest;

To committee on Banks and Banking.

By Mr. Weage:

No. 398, A., a bill for an act defining the boundaries of the town of Orville, Caledonia, and Mt. Pleasant, and organizing the town of Racine, in the county of Racine;

To committee on Town and County Organization.

By Mr. Howland:

No. 399, A., a bill for an act to amend chapter 120 of the

Revised Statutes, entitled "of courts held by justices of the peace;"

To committee of the Whole.

By Mr. Baldwin:

No. 400, A., a bill for an act to amend chapter 46, of the General Laws of 1859, entitled "an act to authorize the formation of town insurance companies;"

To committee on Incorporations.

By Mr. Fairchild:

No. 401, A., a bill to authorize the Secretary of State to audit certain accounts;

To committee on Claims.

By Mr. Palmer:

No. 402, A., a bill to provide for filling vacancies in the office of judge and clerk of the municipal court in the city and county of Milwaukee;

On motion of Mr. Palmer,

The rules were suspended and

No. 402, A., was read a third time and passed, and the title agreed to.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1855, entitled "an act to amend an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad Company;"

And

No. 340, A., a bill for an act to extend the time for collecting taxes in the town and city of Ripon.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on State Affairs, to whom was referred

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money in Brown county;

Have had the same under consideration and instructed me to report the same back and recommend its passage.

L. J. FARWELL, *Ch'n.*

The committee on Engrossed Bills respectfully report

That they have examined the following bills, and find them correctly engrossed, under rule 48:

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable, scientific and literary societies.

The committee on Engrossed Bills respectfully report

That they have examined and compared the following bills and find them correctly engrossed:

No. 169, A., a bill for an act regulating the rights of miners and persons digging for lead ore;

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856;

No. 318, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a house of refuge for juvenile delinquents, in the State of Wisconsin;"

No. 321, A., a bill for an act to provide for the payment of all audited accounts;

The committee on Roads, Bridges and Ferries, to whom was referred

Mem. No. 124, A., petition of certain citizens of Brown and Calumet counties, for a State road from Wrightstown, in Brown county, to Chilton, in Calumet county;

Respectfully report by

Bill No. 403, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

And recommend its passage.

C. G. HAMMARQUIST, *Ch'n.*

Said bill No. 403, A.,

Was read and referred to committee of the Whole.

The committee on Roads, Bridges and Ferries have had under consideration

Bill No. 227, A., a bill for an act authorizing the laying out of a state road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

And

Mem. No. 148, A.,

Accompanying the same;

And respectfully report them back to the House, with recommendation that said bill No. 227, A., do pass.

Bill No. 228, A., a bill for an act authorizing the laying out of a state road to the village of Eau Claire City, in Eau Claire county, to the mouth of Hay river, in Dunn County;

And

Mem. No. 147, A.,

Accompanying the same;

And respectfully report them back to the House, with recommendation that said bill No. 228, A., do pass.

All of which is respectfully submitted.

C. G. HAMMARQUIST, *Ch'n.*

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to present to you for signature,

No. 58, S., a bill for an act to confer certain powers upon the trustees of the village of Monroe;

No. 158, S., a bill for an act to appropriate to A. L. Burke the sum of \$264 20;

No. 187, S., an act to extend the time for the collection of the State and county taxes in the city of Janesville.

I am further directed to inform you, that the Senate has concurred in the passage of

No. 840, A., a bill for an act to extend the time for collecting taxes in the town and city of Ripon;

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river, in said town;

With an amendment.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 172, S., a bill for an act to incorporate the village of Mauston, in Juneau county.

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon.

SENATE MESSAGE.

The Senate amendment to

No. 74, A., a bill for an act authorizing the county board of Douglas county, to lay out, establish and improve a road leading from Superior, through unsettled portions of the State, and to appropriate money therefor ;

Was concurred in.

BILLS AND RESOLUTIONS OF THE SENATE

On first and second reading.

The following bills were severally read twice and sent to the general file :

No. 27, S., a bill to amend sec. 26, of chap. 189, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings therein."

No. 142, S., a bill for an act to amend sec. 1, of chap. 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county."

No. 148, S., a bill for an act to amend sec. 1, of chap. 51, of the Private and Local Laws of 1858, entitled "an act to authorize school district No. 5, in the town of Plattville, in Grant county, to borrow money."

No. 156, S., a bill for an act to amend sections 8 and 16, of chapter 340, of the Private and Local Laws of 1856, entitled "an act to incorporate the Arena and Dubuque Railroad Company."

No. 166, S., an act to amend section 52, of chapter 28, of the Revised Statutes, entitled "of the school and university lands."

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 169, A., a bill for an act regulating the rights of miners and persons digging for lead ore ;

No. 218, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856.

No. 313, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a house of refuge for juvenile delinquents, in the State of Wisconsin;"

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable, scientific and literary societies ;

No. 321, A., a bill for an act to provide for the payment of all audited accounts.

The ayes and noes being required;

The bills were passed by the following vote:

Those voting in the affirmative, were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Brooks, Bunn, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hartung, Hayden, Horton, Howland, Humann, Judd, Keifer, Lewis, Mackay, McKay, McMichael, Meigs, Moore, Mulholland, Nash, Ordway, Palmer, Phillips, Robertson, Rogers, Seaton, Smith, Stannard, Sumner, Sutton, Townsend, Weage, Wheeler, Whittlesey, Wood, Young—58.

Those voting in the negative, were

Messrs. Boyd, Clise, Elmore, Keogh, Kingsbury, Miller, Munn, Neville, Patchin, Ruan—10.

No. 378, A., a bill for an act to appropriate to Henry Siefert the sum of \$125;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Bovay, Boyd, Brooks, Child, Cobb, Cole, DeWolf, Dockry, Fairchild, Farwell, Golden, Griffin, Grover, Holton, Jackson, Johnson, Kingsbury, McMichael, Meigs, Miller, Munn, Ordway, Palmer, Rogers, Smith, Stannard, Sutton, Weage, Whittlesey, Wood and Griswold—37.

Those who voted in the negative, were

Messrs. Alden, Barnum, Beath, Bouck, Bunn, Clise, Coles, Dickson, Elmore, Goodwin, Green, Hartung, Hayden, Horton, Howland, Humann, Judd, Keogh, Kiefer, Lewis, Mackay, Mitchell, Moore, Mulholland, Nash, Neville, Patchin, Robertson, Ruan, Seaton, Sumner, Westby and Young—33.

The Assembly refused to pass

No. 298, A., a bill for an act to appropriate to Harrison Reed the sum of \$96;

The ayes and noes being required,

The bill was lost by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Barden, Bartlett, Bouck, Bovay, Brooks, Bunn, Child, Cole, Fairchild, Goodwin, Griswold, Grover, Hammarquist, Hartung, Holton, Horton, Jackson, Judd, Kingsbury, Langland, Mulholland, Munn, Spottswood, Stannard, Sutton, Townsend, Wood and Young—30.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barnum, Bettis, Beath, Boyd, Bugh, Clise, Cobb, Coles, DeWolf, Dickson, Dockry, Elmore, Green, Griffin, Hayden, Howland, Johnson, Keogh, Kiefer, Lewis, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Neville, Ordway, Palmer, Patchin, Robertson, Rogers, Ruan, Seaton, Sumner, Weage, Westby and Whittlesey—41.

REPORT OF COMMITTEE OF THE WHOLE,

Considered.

The enacting clause to

No. 341, A., a bill for an act to extend to justices of the peace, jurisdiction in actions for waste;

Was stricken out.

On motion of Mr. Bartlett,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills;

Mr. Ordway in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county;

And

No. No. 343, A., a bill for an act to provide for laying out a State road from Shawanaw to the State line;

Without amendment.

No. 165, A., a bill for an act to incorporate the village of Pepin:

With a substitute.

No. 316, A., a bill for an act to amend section 12, of chapter 140, of the Revised Statutes, relative to entries of judgment on warrant of attorney;

No. 322, A., a bill for an act to amend section 2, of chapter 63, of the Revised Statutes, entitled "of voluntary assignments ;"

No. 326, A., a bill for an act to amend section 12, of chapter 151, of the Revised Statutes, entitled "of forcible entries and unlawful detainers ;"

And

No. 389, A., a bill for an act to amend section 205, of chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace ;"

With recommendation that enacting clause be stricken out.

No. 252, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes ;"

With recommendation of reference to Mr. Goodwin.

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chapter 155, of the General Laws of 1858, entitled "an act providing for the appointment of a comptroller, and prescribing his duties ;"

No. 330, A., a bill for an act to amend section 11, of chapter 188, of the Revised Statutes, entitled "of the State Prison ;"

And

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

With recommendation of reference to the committee on the Judiciary.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No's. 14, S., 330 and 366, A.,

Were referred to the committee on the Judiciary.

No. 252, A.,

Was referred to Mr. Goodwin.

The enacting clause to

No's. 316, 322, 326 and 339, A.,

Were stricken out.

The amendment to

No. 165, A.,

Was adopted, and

No's. 165, 291 and 343, A.,

Were ordered engrossed for a third reading.

REPORT.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 30, A., a bill for an act to authorize the county board of St. Croix county to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named;

No. 75, A., a bill for an act for the relief of settlers on the sixteenth section, town 26, range 16, in Shawano county;

No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of town insurance companies;"

No. 127, A., a bill for an act to reduce the capital stock of the Farmers' and Millers' Bank, of Milwaukee;

No. 111, A., a bill for an act to reduce the capital stock of the Bank of Manitowoc.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

MESSAGE FROM THE GOVERNOR.

Mr. Judd moved that the Message from the Governor be read,

Which was agreed to.

(For Message, see Appendix A.)

The reading was commenced, when

Mr. Elmore moved that the further reading be dispensed with;

Mr. Cobb moved to amend Mr. Elmore's motion by adding thereto,

"And that the same be referred to the committee on Swamp and Overflowed Lands;"

Which was agreed to,

And the motion as amended was carried.

Mr. Young moved that three extra copies of the journal containing the same, be printed for each member of the Legislature;

Mr. Elmore moved to amend by striking out "three copies for each member of the Legislature," and inserting "1000 copies,"

Which was agreed to.

Mr. Judd moved to amend, by inserting "excepting accompanying documents;"

Pending which,

On motion of Mr. Elmore,

The Assembly adjourned.

WEDNESDAY, FEBRUARY 29, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Walter officiated as chaplain.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Goodwin :

Mem. No. 254, A., of S. M. Taylor and 35 others, for the repeal of the charter incorporating the village of Menasha;

And

Mem. No. 255, A., of H. Mitchell and three others, for the repeal of the charter incorporating the village of Menasha;

And

Mem. No. 256, A., of J. W. Allen and three others, for the repeal of the charter incorporating the village of Menasha;

Which were severally referred

To committee on Incorporations.

By Mr. Bachuber :

Mem. No. 257, A., of Brice Dilly and 85 others, praying the Honorable Legislature to pass an act to submit the question to the people of the towns of Le Roy and Lemira, in the county of Dodge, that they may be detached from the county of Dodge and attached to the county of Fond du Lac;

To committee on Town and County Organization.

By M. Blackman :

Mem. No. 328, A., for an act for the protection of fish in the Catfish, by John W. Bates, Theodore Hopkins and fifty others ;

To committee on State Affairs.

By Mr. Coles :

Mem. No. 259, A., remonstrance of citizens of Appleton, against organizing a fire company;

To committee on Claims.

RESOLUTIONS INTRODUCED.

By Mr. Ruan :

Res. No. 94, A.,

Resolved, That no new business shall be received by this House after the 20th day of March next, and when this House does adjourn on the 29th of said month, it will adjourn *sine die*;

Which lies over.

By Mr. Wheeler :

Res. No. 95, A.,

Resolved, That the Attorney General be, and hereby is respectfully requested to communicate to the Assembly whether in his opinion, the Legislature has the right under the constitution and laws of this State to repeal the act granting lands to the La Crosse & Milwaukee railroad company, approved October 11, 1856, and to revoke and annul all and singular the rights and franchises conferred upon said company by said act so far as the same have not been performed and fulfilled, and so far as the rights and franchises granted by said act have not become complete and absolute, provided said company has failed to comply with any of the provisions of said act ;

On motion of Mr. Wheeler,

The rules were suspended, and

The resolution adopted.

By Mr. Keogh :
Res. No. 96, A.,

Whereas, This Legislature has been in session some seven weeks without passing a law for the encouragement and advancement of manufactures in our State, and

Whereas, We deem it of vital importance to our present and future prosperity as a State, that immediate and favorable action should be held on this subject, at this session of the Legislature, therefore

Resolved, That the select committee appointed for that purpose, be, and is hereby required to report to this House the present week, or at as early a day as possible, a bill calculated to facilitate and promote the manufacturing interests of Wisconsin ;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Judd:

No. 404, A., a bill for an act for the relief of certain persons who have incurred penalties for the non-payment of interest on school land certificates and loans from the State through fraud or accidents;

To committee on the Judiciary.

By Mr. Neville:

No. 405, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

To committee on State Affairs.

By Mr. DeWolf:

No. 406, A., a bill for an act to incorporate the Delavan Academy;

To committee on Incorporations.

By Mr. Dockry:

No. 407, A., a bill for an act to permit the boards of supervisors of the several towns in the county of Milwaukee to lay out and open highways of the width of three rods;

To committee on Roads, Bridges and Ferries.

By Mr. Seaton:

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

To committee on Town and County Organization.

REPORTS OF COMMITTEES.

The committee on Education, School and University Lands, to whom was referred bill

No. 344, —, entitled a bill to authorize school district No. 1, town of Cassville, Grant county, to borrow money to build a school house;

Have had the same under consideration, and direct me to report it back with the recommendation that its further consideration be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Mem. 239, A., petition of Elisha Clark and others, of Clark county, concerning town and school organization;

And bill

No. 379, A., entitled a bill for an act for town and school organization, in the county of Clark;

Have had the same under consideration, and direct me to report them back to the Assembly, with the recommendation that they be referred to the committee on Town and County Organization.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University lands, to whom was referred.

No. 137, S, a bill for an act to authorize the Commissioners of School and University Lands, to assign a certain mortgage;

And

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 14th, 1859;

And

No. 87, S., a bill for an act to legalize the proceedings of the district board of school district No. 5, of the town of Platteville, Grant county;

Have had the same under consideration, and direct me to report the same back, and respectfully recommend their passage.

EDWARD D. HOLTON, *Ch'n.*

The committee on the Judiciary, who, by resolution

No. 63, A., were requested to examine the acts establishing the counties of Waupacca and Shawano, and report to this body, after such examination, which of said counties, in their opinion, is entitled to town 25, range 15;

Have had the same under consideration, and have instructed

me to report the same back to the Assembly, and recommend that the question be referred to the Attorney General.

AMASA COBB, *Ch'n.*

The matter was accordingly referred to the Attorney General.

The committee to whom was referred bill

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State in certain cases and to repeal chapter 155, of the General Laws of 1858, entitled "an act providing for the appointment of a Comptroller and prescribing his duties,"

Have had the same under consideration and have instructed me to report the same back to the Assembly with amendments, and recommend its passage when so amended.

AMASA COBB, *Ch'n.*

The amendments were concurred in and said bill ordered to a third reading.

The committee on the Judiciary to whom was referred bill

No. 375, A., a bill for an act to amend chapter 130, of the Revised Statutes, entitled "of proceedings against debtors by attachment.

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

Mem. No. 244, A., a memorial of William A. Barstow;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without indicating any opinion as to the legality or equity of the claim mentioned in said memorial, and recommend that the said memorial be referred to the Joint Committee on Claims.

AMASA COBB, *Ch'n.*

Said memorial was referred to the committee on Claims.

The committee on the Judiciary, to whom was referred bill

No. 373, A., "a bill for an act to amend section 159, of chapter 18, of the Revised Statutes, entitled of assessment and collection of taxes;"

Have had the same under consideration, and a majority of said committee, Mr. Bartlett disagreeing, have instructed me to report the same back to the Assembly and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred, bill

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "of arrest and bail;"

Have had the same under consideration and have instructed

me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred Mem. No. 233, A., petition of Loren Peterson for relief;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the same be referred back to the committee on Education, School and University Lands.

AMASA COBB, *Ch'n.*

Said memorial was referred as recommended.

The committee on Judiciary, to whom was referred

Bill No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Have had the same under consideration, and have instructed me to report the same to the Assembly, with amendments, and recommend its passage when so amended.

W. P. BARTLETT.

No. 340, A., an act to extend the time for collecting taxes in the town and city of Ripon;

No. 117, A., a bill for an act concerning the terms of court in the Fourth Judicial Circuit;

No. 345, A., a bill for an act to amend an act entitled "an act to incorporate the Mineral Point Seminary.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assem. Com.*

The joint committee on Enrolled Bills report that on the 29th inst. they presented to the Governor, for his approval, the following bills, viz:

No. 153, S., a bill for an act to appropriate to A. L. Burke the sum of \$264 20;

No. 187, S., a bill for an act to extend the time for the collection of the State and county taxes in the city of Janesville;

No. 58, S., a bill for an act to confer certain powers upon the trustees of the village of Monroe;

No. 82, A., a bill for an act to amend section 1, of chapter 266, of the Private Laws of 1855, entitled "an act to amend an act entitled an act to amend an act to incorporate the Fort Winnebago, Barraboo Valley and Minnesota Railroad Company;

No. 140, A., a bill for an act to change the time of holding terms of the circuit court for the county of Dane.

C. MILLER, *of Assembly Com.*

The committee on Engrossed Bills respectfully report, that

they have examined the following bill and find it correctly engrossed under rule 48:

No. 165, A., bill for an act to incorporate the village of Pepin.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 78, A., a bill for an act to authorize the laying out a State road from Prairie du Chien to La Crosse;

No. 86, A., a bill for an act to authorize the laying of a State road from Viroqua to Victory, in Bad Ax county;

No. 334, A., a bill for an act for the relief of settlers upon the even sections of Fox and Wisconsin River Improvement Company;

No. 343, A., a bill for an act to provide for laying out a State road from Shawanaw to the State line.

M. HOWLAND, *Ch'n.*

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 74, A., a bill for an act authorizing the county board of Douglas county to lay out, establish and improve a road leading from Superior through unsettled portions of the State, and to appropriate money therefor;

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

No. 346, A., a bill for an act so amend an act entitled "an act to incorporate the city of Madison, and the several acts amendatory thereto;

No. 187, A., a bill for an act to amend section fifteen of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18, 1856.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Swamp and Overflowed Lands, who by Res. No. 91 A., were instructed to report a bill providing for the payment of the outstanding indebtedness against the drainage fund;

Have had the same under consideration, and report the same by bill, and recommend its passage.

A. WHITTLESEY, *Ch'n.*

Said bill being

No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the swamp land fund;

Was read twice and sent to the general file.

The committee on the Judiciary, to whom was referred

No. 36, S., a bill providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, chapter 118, Revised Statutes, entitled "of grand and petit jurors;"

Have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Assembly and recommend that the further consideration thereof be indefinitely postponed.

Messrs. Cobb and Bouck dissent from this report and recommend that said bill do pass.

H. L. PALMER.

The committee on Incorporations to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back without amendment, and recommend their passage :

No. 394, A., a bill for an act to authorize the board of trustees of the village of Viroqua, to levy a tax.

No. 354, A., a bill for an act to amend an act entitled "an act to incorporate the Peshtigo Lumbering and Manufacturing Company," approved October 11, 1856, and the amendments thereto.

No. 370, A., a bill for an act to incorporate the Thiensville Engine Co.

No. 352, A., a bill for an act to incorporate the Milwaukee & Cedarburgh Plankroad Co.

No. 359, A., a bill for an act to amend sec. 9, chap. 2, of an act entitled "an act to incorporate the city of Fond du Lac," approved March 19, 1852.

R. BUNN, *Ch'n.*

The committee on Banks and Banking, have had under consideration

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank ;

And herewith report the same back with amendments, and recommend the adoption of such amendments, and the passage of the bill when so amended.

The same committee have also had under consideration

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock ;

And herewith report the same back, and recommend its passage.

WM. GRISWOLD, *Ch'n.*

The committee on Claims, to whom was referred accounts

No. 65, A., the acct. of Seth M. Van Bergen, for wood for use of the State ;

No. 65, A., the acct. of Thomas McFarland, sheriff of Iowa county, for conveying convict to State Prison ;

Have had the same under consideration, report them back by bills

No. 410, A., a bill for an act to appropriate to Seth M. Van Bergen, the sum of \$765 83;

No. 411, A., a bill for an act to appropriate to Thomas McFarland, the sum of \$81 75 ;

And recommend that said bills do pass.

HEBER SMITH, *Ch'n.*

F. A. WEAGE.

Said bills

Nos. 410, and 411, A.,

Were read twice, and referred to general file.

The select committee under Res. 22, A., to whom was referred

Bill No. 68, A., a bill for act to amend section 10, of chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

Also,

Bill No. 110, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

Also,

Bill No. 161, A., a bill for an act to amend chapter 167, of General Laws of 1859, entitled "an act to amend chapter 167, of the Revised Statutes, entitled of the assessment and collection of taxes;"

Also,

Bill No. 107, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes;

Also,

Bill No. 6, A., a bill for an act to repeal section 47, of chapter 167, of the General Laws of 1859, entitled "of the assessment and collection of taxes;"

Also,

No. 216, A., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 18, of the Revised Statutes, entitled of assessment and collection of taxes ;

Also,

Bill No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter

15, of the Revised Statutes, entitled of the assessment and collection of taxes;

Have instructed me to report the same back, with the recommendation that the further consideration of said several bills be indefinitely postponed.

Your committee have also had under consideration

Bill No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

Also,

Bill No. 280, A., a bill for an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment thereof;

And have instructed me to report the same back, with the recommendation that the said bills do pass.

Your committee have also had under consideration

Mem. No. 29, A., petition from the board of supervisors of St. Croix county, for a law in relation to delinquent taxes;

Also,

Mem. No. 287, A., a remonstrance of Wm. Beswick and 37 others citizens of Racine, against the passage of a law which does not allow debts to be deducted from the value of personal property, for the purpose of taxation;

Also,

Mem. No. 207, A., a petition of Isaac N. Ullman, and 112 others, citizens of Racine, in favor of allowing debts to be deducted from the value of personal property for the purpose of taxation;

Also,

Mem. No. 234, A., remonstrance of John G. Conroe and 40 others, citizens of Racine against repealing the law authorizing debts to be deducted from the value of personal property for the purpose of taxation;

And have instructed me to report the same back to the Assembly, and ask to be discharged from the further consideration thereof.

ANDREW E. ELMORE, *Ch'n.*

Bill No. 110, S.,

Was indefinitely postponed.

The committee appointed under Res. No. 22, to whom was referred the question of the assessment and collection of taxes with instructions to report by bill;

Have had the same under consideration, and have delayed their report, hoping to have the decision of the Supreme Court on the question of the constitutionality of the laws taxing railroads and banks; but having been informed by competent authority that those decisions cannot be had before Tuesday

next, the committee have instructed me report the accompanying bill.

ANDREW E. ELMORE, *Ch'n.*

Said bill being

No. 412, A., a bill for an act to amend chapter 18 of the Revised Statutes, entitled "of the assessment and collection of taxes," and the acts amendatory thereof;

Was read twice, and

Sent to the General File.

A majority of the special committee to whom was referred bill

No. 10, S., a bill for an act to permanently fix the compensation of the officers and employees of the Legislature;"

Have had the same under consideration, and report it back to the Assembly by substitute, and recommend the passage of the substitute.

E. W. YOUNG,
HARVEY C. GRIFFIN,
Committee.

I am prepared to amend the Senate bill so as to raise the pay of the Chief Clerks per diem from four to five dollars. Beyond this I must respectfully decline concurring in the provisions of the substitute.

EDMUND D. HOLTON.

The question being on adopting the substitute,

It was rejected,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bartlett, Beath, Bouck, Bow, Boyd, Bunn, Cole, Elmore, Fairchild, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Horton, Hunkins, Keogh, Kingsbury, Mackay, McMichael, Miller, Munn, Neville, Palmer, Patchin, Robertson, Ruan, Seaton, Simpson, Sumner, Sutton, Townsend and Young—86.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bettis, Blackman, Brooks, Bugh, Burt, Child, Clise, Cobb, Coles, DeWolf, Dickson, Dockry, Fischer, Golden, Hayden, Holton, Howland, Humann, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, McKay, Meigs, Mitchell, Moore, Mulholland, Nash, Ordway, Phillips, Rankin, Rogers, Smith, Spottswood, Stannard, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Wood, and Mr. Speaker—52.

The question the occurring on ordering said bill,

No. 10, S.,

To a third reading;

Mr. Elmore moved to strike out the word "four," after the words "Chief Clerk," and insert "five fifty-one-hundredths;"

Upon which the ayes and noes were called and ordered;

And the amendment was lost, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Barnum, Bartlett, Beath, Bouck, Bow, Bunn, Cole, Elmore, Fairchild, Goodwin, Green, Griffin, Grover, Hartung, Humann, Keogh, Kingsbury, Mackay, McMichael, Meigs, Miller, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Ruan, Seaton, Simpson, Sutton, Townsend, Wood and Young—36.

Those who voted in the negative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Bettis, Blackman, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Coles, DeWolf, Dickson, Dockry, Fischer, Golden, Hammarquist, Hayden, Holton, Horton, Howland, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, McKay, Mitchell, Moore, Mulholland, Nash, Ordway, Robertson, Smith, Spotswood, Stannard, Sumner, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey and Mr. Speaker—49.

Mr. Hunkins moved to strike out "one dollar and twenty-five cents," after the word "messengers," and insert "one dollar and fifty-five cents."

Mr. Ordway moved the previous question;

Which was seconded.

The ayes and noes were called and ordered on Mr. Hunkin's amendment, and it was lost

By the following vote:

Those voting in the affirmative, were

Messrs Ahlhauser, Bachuber Bartlett, Beath, Bouck, Bow, Boyd, Bugh, Bunn, Cole, Coles, Dockry, Elmore, Fairchild, Goodwin, Green, Grover, Hartung, Humann, Hunkins, Jackson, Keogh, Kingsbury, Mackay, McMichael, Meigs, Miller, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan, Seaton, Simpson, Sutton, Townsend, Young—42.

Those voting in the negative, were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Blackman, Brooks, Burt, Child, Clise Cobb, DeWolf, Dickson, Farwell, Fischer, Golden, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Johnson, Judd, Kiefer, Langland, Lewis, McKay, Mitchell, Moore, Nash, Ordway, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Wood, Mr. Speaker—47.

Mr. Elmore moved to amend by adding after the word "dol-

lars," after "Chief Clerk," the words "and ninty-nine cents."

Upon which the ayes and noes were called and ordered,

And the amendment lost,

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Beath, Bouck, Bow, Boyd, Bugh, Bunn, Cole, Dockry, Elmore, Fairchild, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Horton, Humann, Keogh, Kingsbury, Langland, Lewis, Mackay, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan, Seaton, Simpson, Sutton, Townsend, Wood and Young—39.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Brooks, Burt, Child, Clise, Cobb, Coles, DeWolf, Dickson, Farwell, Fischer, Colden, Griswold, Hayden, Holton, Howland, Jackson, Johnson, Judd, Keifer, McKay, McMichael, Miller, Mitchell, Moore, Mulholland, Nash, Ordway, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Westby, Wescott, Wheeler and Mr. Speaker—45.

Mr. Howland moved the previous question,

Which was seconded,

And the question being "shall the main question be now put?"

It was ordered, and

No. 10, S.,

Was ordered to a third reading,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Coles, DeWolf, Dickson, Farwell, Fischer, Golden, Griswold, Hayden, Holton, Howland, Humann, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey and Mr. Speaker—51.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Bartlett, Beath, Bouck, Boyay, Bow, Cole, Dockry, Elmore, Fairchild, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hunkins, Keogh, Kingsbury, Makay, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Robertson, Ruan, Seaton, Simpson, Sutton, Townsend, Wood and Young—85.

On motion of Mr. Cobb,

The rules were suspended, and

No. 142, S., a bill for an act to amend section 1, of chapter

194, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county;"

Was taken from the general file,

And referred to the Committee on the Judiciary.

On motion of Mr. McKay,

Mr. Bunn was granted leave of absence for one week.

On motion of Mr. Alden,

The Assembly adjourned.

THURSDAY, MARCH 1st, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Child,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Fairchild :

Mem. No. 260, A., from residents and citizens of the city of Madison for a donation to the English German School ;

To committee on Education.

By Mr. Phillips :

Mem. No. 261, A., of R. T. Comfort and a large number of others, for the repeal of charter for a dam across the Wisconsin river at Kilbourn City ;

To committee on Internal Improvements.

By Mr. Schmidtner :

Mem. No. 262, A., of the citizens of Milwaukee against the capital punishment, and in favor of any modifications in pardoning murderers in first degree ;

To Committee of the Whole with bill No. 367, A.

By Mr. Bouck :

Mem. No. 263, A., of Samuel G. Callahan and others, of

Winnebago county, asking that the time for the payment of interest on school lands be extended ;

To committee on Education.

By Mr. Bachuber :

Mem. No. 264, A., of Rufus Cowles and others, citizens of the towns of Lomira and LeRoy, in the county of Dodge, praying this honorable body of the Legislature of the State of Wisconsin, to revise or amend the existing laws in regard to the collection of debts so as to require all civil suits for the collection of debts which would by law be tried before a justice of the peace to be tried in the same township in which the defendant resides ;

To committee on the Judiciary.

By Mr. Baldwin :

Mem. No. 265, A., of Lewis Cooley and 642 others, for changing the boundaries of the towns of Orwell, Caledonia and Mt. Pleasant, and organizing the town of Racine, in the county of Racine ;

To committee on Town and County Organization.

By Mr. Baldwin :

Mem. No. 266, A., remonstrance of Geo. Wustum and 159 others, against changing the boundaries of the towns of Orwell, Caledonia and Mt. Pleasant, in the county of Racine ;

To committee on Town and County Organization.

By Mr. Hayden :

Mem. No. 267, A., remonstrance of H. Franze and others, against the passage of bill No. 367, A., touching death penalty ;

To committee of the Whole with bill No. 367, A.

By Mr. Hayden :

Mem. No. 268, A., of H. Hartel and others, touching death penalty ;

To committee of the Whole with No. 367, A.

By Mr. DeWolf :

Mem. No. 269, A., of Ebenezer Chesbro, asking payment for services as within set forth ;

To committee on Claims.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Hayden:

No. 67, A., The account of H. Bingham.

By Mr. Holton:

No. 68, A., the account of G. D. Norris.

RESOLUTIONS INTRODUCED:

By Mr. Wheeler:

Res. No. 98, A.,

Resolved, That the Attorney General be, and is hereby respectfully requested to communicate to this Assembly, whether in his opinion, the Chicago and North Western Railroad Company is the legal representative of the Wisconsin and Superior Railroad Company, and as such entitled to the rights, privileges and immunities granted and conferred upon the said Wisconsin and Superior Railroad Company, by virtue of the act incorporating said company;

On motion of Mr. Wheeler,

The rules were suspended, and

The resolution adopted.

By Mr. Judd:

Res. No. 99, A.,

Resolved, That on and after Tuesday, the 7th inst., the daily hour of meeting of the Assembly shall be nine o'clock, A. M.;

Which lies over.

By Mr. Dockry:

Res. No. 100, A.,

Resolved, That the committee on Agriculture and Manufactures be requested to report on bill No. 47, A., without delay, it being six weeks in the hands of the committee;

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 96, A.,

Relative to the encouragement of manufactories;

Introduced by Mr. Keogh yesterday,

Was adopted.

Res. No. 97, A.,

Relative to final adjournment;

Introduced by Mr. Ruan yesterday.

Mr. Palmer moved to amend by inserting after the word "resolved," the words "by the Assembly, the Senate concurring;"

Which was agreed to.

Mr. DeWolf moved to amend by striking out the word "March," and insert the word "June," in place thereof;

Mr. Bartlett moved to lay the whole matter on the table;

Which was disagreed to,

And the amendment offered by Mr. DeWolf,

Was adopted.

Mr. Bouck moved to reconsider said vote,

Which was disagreed to.

On motion of Mr. Humann,

The resolution and amendment were laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Winter:

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

To committee composed of the Jefferson county delegation.

By Mr. Jackson:

No. 414, A., a bill for an act to postpone the sale of land for unpaid taxes in the county of Richland;

On motion of Mr. Jackson,

The rules were suspended, and

No. 414, A., was read a third time, passed, and title agreed to.

By Mr. McKay:

No. 415, A., a bill for an act to incorporate the LaCrosse Medical College;

To committee on Medical Societies and Medical Colleges.

And,

No. 416, A., an act to amend an act entitled "an act to incorporate the city of La Crosse, and the several act amendatory thereto," approved March 14, 1856.

To committee on Incorporations.

By Mr. Keogh:

No. 417, A., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases;

To committee on Education.

By Mr. Smith:

No. 418, A., a bill for an act to amend an act entitled "an act to incorporate the village of Waterloo;"

To committee on Town and County Organization.

REPORTS OF COMMITTEES.

The committee on Education, School, and University Lands, to whom was referred

No. 257, A., a bill for an act to remit certain penalties im-

posed by sections 62 and 117 of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

Have had the same under consideration and direct me to report it back with the recommendation that its further consideration be indefinitely postponed.

E. D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

No. 17, S., a bill for an act to repeal chapter 201, of the General Laws of 1859, entitled an act to remit certain penalties imposed by section 59, of chapter 26, of the Revised Statutes, entitled of "school and university lands;"

Have had the same under consideration and direct me to report it back respectfully, with the recommendation that it do pass.

EDWARD D. HOLTON, *Ch'n.*

Said bill was ordered to a third reading.

The Judiciary committee to whom was referred

No. 404, A., a bill for an act for the relief of certain persons who have incurred penalties for the non-payment of interest on school land certificates and loans from the State through fraud or accident;

Report the same back with a substitute, and recommend the passage of the substitute.

GAB. BOUCK.

On motion of Mr. Bouck,

The rules were suspended

This substitute agreed to, the bill read a third time, and passed, by the following vote:

Those who voted in the affirmative were

Messrs. Alhauser, Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin Griffin, Griswold Grover, Hammarquist, Hertung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, McKay, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rodgers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—88.

None voted in the negative.

And the title amended so as to read

"A bill for an act to refund penalties in certain cases."

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bill and find it correctly engrossed :

No. 33, A., a bill for an act to lay out a State road from Eau Plain to Eau Claire.

M. HOWLAND, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate refuses to concur in amendment of Assembly to

No. 89, S., a bill for an act for the relief of Nathan B. Langdon;

And also that the Senate has concurred, without amendment, in the passage of

Nor 286, A., a bill for an act to extend the time for the collection of taxes in the city of Portage;

No. 402, A., a bill for an act to provide for filling vacancies in the office of judge and clerk of the municipal court in the city and county of Milwaukee;

And has passed, and asks the concurrence of the Assembly in

No. 130, S., a bill for an act to amend an act entitled an act to incorporate the La Crosse Hydraulic Company;

J. Res. No. 15, S., instructing the committee on Benevolent Institutions to report a bill in regard to the State Hospital for the Insane;

No. 99, S., a bill for an act to incorporate the La Crosse Valley Seminary;

No. 125, S., a bill for an act to amend an act entitled an act to incorporate the city of Prescott;

No. 169, S., a bill for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;" also, chapter 502, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad, approved October 11th, 1856;" also, chapter 138, of the Private and Local Laws of 1858, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

No. 175, S., a bill for an act relating to the State tax of the county of Door.

And further to inform you that the Senate has concurred, without amendment, in the passage of

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam, and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county;

No. 153, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled "an act to incorporate the La Pointe Iron Company," approved March 5th, 1857;

No. 235, A., a bill for an act to amend an act entitled an act to amend an act to incorporate the village of Omro;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo;"

No. 179, A., a bill for an act to amend chapter 132, of the Private and Local Laws of 1859, entitled an act to amend an act entitled an act to incorporate the city of Beaver Dam."

And has amended and concurred in as amended

No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled "of joint stock companies."

On motion of Mr. Bouck:

The rules were suspended, and

No. 301, A., a bill for an act to appropriate to Mitchel L. Delany, the sum of \$115 30;

Was taken from the General File.

The question being on ordering said bill to a third reading, The Assembly refused so to order by the following vote:

Those who voted in the affirmative, were:

Messrs. Bartlett, Bettis, Bouck, Bovay, Boyd, Bunn, Child, Cobb, DeWolf, Goodwin, Green, Griswold, Grover, Hammarquist, Hayden, Horton, Kingsbury, McKay, Miller, Moore, Rankin, Rogers, Stannard, Townsend, Upson, VanderCook, Wescott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—32.

Those who voted in the negative were:

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Blackman, Bow, Brooks, Bugh, Burt, Clise, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Griffin, Hartung, Hesk, Holton, Horn, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Langland, Lewis, Meigs, Mitchell, Mulholland, Munn, Nash, Neville, Palmer, Patchin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Weage, Westby, Winter and Young—57.

On motion of Mr. Holton,

The rules were suspended, and

No. 331, A., a bill for an act to legalize an appropriation

and appointment made by the county board of supervisors of Oconto county;

Was taken from the general file,

And was referred to the committee on the Judiciary.

On motion of Mr. Coles,

The rules were suspended, and

Mem. No. 259, A., remonstrance of citizens of Appleton against organizing a fire company;

Was recalled from the committee on Claims,

And referred to the committee on Incorporations.

On leave, Mr. Bouck introduced account

No. 42, A., of Milo Coles;

Also,

By Mr. Goodwin:

Acc. No. 69, A., of Wm. P. Barnes;

Which were severally referred to the committee on Claims.

THE SPECIAL ORDER

Being

No. 290, A., a bill for an act to appropriate to Hitchcock & Co., the sum of \$1,242 25;

And the question being on the passage of said bill,

Mr. Griswold ask unanimous consent to amend as follows:

Add to section 1, "provided, that in making this appropriation, the Legislature admit neither the justice or equity of the claim, but make the appropriation solely to relieve Hitchcock & Co., from a fraud committed by the Governor of the State under color of official authority;

Which was objected to,

And the bill was read a third time.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Bachuber, Bartlett, Bouck, Bovay, Bow, Boyd, Bunn, Clise, Cole, Coles, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Ordway, Patchin, Rankin, Ruan, Schmitdner, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Townsend, VanderCook, Wheeler, Winter, Wood and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Brooks, Bugh, Burt, Child, Cobb, DeWolf, Dickson, Dockry, Fischer, Griswold, Horton, Howland, Kiefer,

Langland, Lewis, McKay, Miller, Mitchell, Moore, Robertson, Rogers, Stannard, Upson, Westby, Westcott, Whiting and Young—34.

REPORT.

The committee on Town and County Organization to whom was referred again,

No. 201, A., a bill for an act to provide for the removal of the county seat of Lafayette county;

The following statement shows the number of petitions for, and remonstrances against, removal of county seat of Lafayette county, with corrections of indorsement on the back of memorials, to wit :

Petitions for removal :

Mem. No. 134, A., purporting to be 1,000, real number, 735

do	146,	do	do	700,	do	350
do	122,	do	do	50,	do	50
do	154,	do	do	100,	do	100
do	127,	do	do	100,	do	67
do	110,	do	do	93,	do	76
do	109,	do	do	45,	do	45
do	111,	do	do	55,	do	55
do	102,	do	do	40,	do	55
do	97,	do	do	42,	do	42
do	96,	do	do	32,	do	32

2,257.

1,592

Remonstrants against removal:

Mem. No. 143, purporting to be 240, correct number, 240

do	184,	do	do	50,	do	43
do	183,	do	do	43,	do	43
do	144,	do	do	92,	do	92
do	145,	do	do	135,	do	137
do	156,	do	do	97,	do	97
do	142,	do	do	1,450,	do	1,168

2,107.

1,820

Majority against removal, as ascertained by careful examination of memorials and remonstrances, is 228.

It appears from the history of the county of Lafayette in regard to the county seat question, that in the winter of 1846, an act was passed submitting the question of a division of Iowa county to a vote of the people in accordance with the present boundaries of Iowa and Lafayette counties.

This act authorized the county commissioners to borrow money with which to purchase 160 acres of land, at, or near

the geographical centre of each county, in case the votes were favorable to the division.

The vote was favorable, and the commissioners purchased 160 acres of land as directed by the act. At this point a town was afterwards laid out, and was named Avon. In 1847, an act was passed fully organizing the two counties, and the commissioners were authorized to designate a place for doing public business, and for holding the courts until public buildings should be erected.

This duty was performed by the county commissioners, and Shullsburg was made temporary county seat by their acts.

In the spring of 1848, an act was passed providing that the electors of the county might by vote, locate the county seat at any point where a majority of all the votes should designate.

And a voting at the annual election was authorized, until some point received a majority of all the votes cast on that question, in case such selection was not made at the time of first voting in the Spring of 1848. The act further provided, that until some point received a majority, or in other words, until a county seat should be located, as provided in that act, the county seat should be and remain at Shullsburg.

Under this act a vote was had in the Spring of 1848; quite a number of places were voted for, but no place received a majority of all.

At the annual election in the autumn of 1848, another vote was had under the last mentioned act, and Shullsburg received a majority of all the votes cast on the question.

In the winter of 1849, the Legislature, assuming that the county seat was at the center, (*alias, Avon,*) passed an act authorizing the electors to vote for and against the removal of the county seat to Shullsburgh.

Some of the electors, contending that as the county seat was at Shullsburgh, that the act was inoperative and void, as it was idle to vote to move the county seat to Shullsburgh where it then was.

In the winter of 1850, an act was passed providing for the presenting of all the facts and laws upon the subject to the Supreme Court, and requiring that tribunal to decide where the county seat was. The proceedings contemplated by the act were had, and the Supreme Court decided that the act of 1849 was void, and that the county seat was at Shullsburgh.

In the winter of 1852, another act was passed authorizing a vote for and against the removal of the county seat from Shullsburgh to the centre, (*alias, Avon,*) and required the county board of supervisors to proceed immediately to the erection of a court house at the county seat as determined by that vote.

The vote was taken. A majority against the removal, and the county seat remained at Shullsburgh; and, as provided by the act, a stone or brick jail was built at Shullsburgh, as was also a court house, 40 by 60, two stories high.

In this court house are the necessary office and jury rooms. Toward its erection, the citizens of Shullsburgh gave about two acres of ground and one thousand dollars in money. The entire cost of the court house and jail was \$5000.

In 1856, another act was passed authorizing a vote for and against the removal of the county seat from Shullsburgh to Avon, (alias, Centre.)

This act the friends of Shullsburgh contended was unconstitutional.

A small majority of votes were returned in favor of the removal.

To test the validity of this act, and again ascertain where the county seat was, an alternative mandamus was, on the relation of J. H. Knowlton, issued by the Supreme Court, requiring John K. Williams, clerk of the circuit court, to hold his office at Shullsburgh as the county seat, or show cause why he did not do so.

He made return to this writ, and thereupon the court decided that the act was unconstitutional and void. This case is reported in 5 *Wis. Repts.*, 308. Thus the county seat remains at Shullsburgh.

By the bill now under consideration, it appears that Avon is abandoned, and a new place proposed, which is distant from Avon about one mile.

In setting forth the above statements, your committee have endeavored to state nothing but what they believe to be correct. And as to the matter set forth in the memorials and remonstrances, we have thought proper to hereunto attach a copy of each, which are as follows :

To the Legislature of the State of Wisconsin:

Your petitioners, residents of La Fayette county, would represent that the village of Darlington is located within one mile of the center of said county upon the Pecatonica river; contains a population of 1,200 inhabitants; is upon the line of the Mineral Point railroad; contains a good flouring mill, and is in the immediate vicinity of timber, and is the most prominent business point in the county.

They would further represent that the citizens of Darlington have erected a large and commodious Court House, which is now under contract for completion, and which they propose to donate to the county, for court house purposes.

They would also represent that Shullsburg, the present county seat, is four miles from the south line of said county, seventeen miles from north line, ten miles from west line, and twenty miles from east line; is ten miles from timber, eight miles from a railroad station, and contains no water power. And that it is inconvenient as a point for the transaction of county business. They would represent that a majority of the people by vote have decided three times in favor of a central location. Believing that the interest of the citizens of the county would be promoted by a change of county seat from Shullsburg to Darlington, they would ask that your honorable body would pass a law authorizing the people to vote for said removal, at the next ensuing general election, and earnestly remonstrate against any dismemberment of our county.

Dated Darlington, January 18, 1860.

To the Senate and Assembly of Wisconsin:

The undersigned citizens and tax payers of LaFayette county, in said State, having been informed that petitions have been presented to the Legislature, now in session, praying for the passage of a bill to submit to a vote of the people of said county, the question of removal of its county site from the present location at Shullsburg to Darlington—would respectfully *remonstrate* against the enactment of any such law; believing that a large majority of the tax-payers of the county are opposed to the further agitating of this troublesome question, inasmuch as the county site is now located at or near the centre of population of said county, and at the best business point in the county. Your remonstrants would state that there is now provided at Shullsburg a large and commodious brick court house, with ample accommodations for holding courts, and rooms for the various county officers, and a substantial stone jail, all in good repair, and which will answer the purposes for which they were built for many years; but in case of a removal would be almost an entire loss to the county and a large tax would necessarily be imposed to pay for new buildings at Darlington. We, as tax payers, have no confidence that the proffered donation of the naked walls of a structure, which the people of Darlington say they will finish for a court house, in case of removal to that place, would be carried out in good faith. The voters of this county, after five elections, upon the question of removal of the county site, at a cost of several thousand dollars, have become heartily sick and disgusted with the question, and feel that while such elections may be sport to county site speculators, they are death to the tax-payers, who always have to foot the bill, and therefore

trust that the Legislature will not, for light and transient causes, again disturb our peace and quietness; there can be no denying the fact that the present movement is started wholly by property holders, in and about Darlington, and interested parties living out of the county, who have no scruples about sacrificing the interests of the county at large to promote their own schemes of private speculation.

We therefore earnestly remonstrate against such proposed legislation which would inevitably increase our present enormous taxes. In Heaven's name spare us from any more at present.

From the facts above set forth, it appears that several votes have been had on the question of the removal of the county seat from Shullsburgh to Avon.

And, it appears that a majority of persons signing the remonstrance against the passage of the bill authorizing a vote of the electors on the question of the removal of the county seat of LaFayette County to Darlington, your committee all agree as to the matter above set forth in the report; and a majority of your committee agree in recommending that the further consideration of bill

No. 201, A.;

And accompanying memorial and remonstrances, be indefinitely postponed.

J. P. DICKSON,
WM. C. McMICAEL,
A. GREEN.

Com. on Town and County Org'n.

The minority of the committee agree substantially with the majority in the report so far as it relates to the facts, but dissent from them in their recommendation.

J. S. BUGH,
ELVA SIMPSON.

On motion of Mr. Cole, said bill

No. 201, A.;

Was made the special order for Wednesday next at 11 o'clock,
. M.

SENATE MESSAGE.

Taken up.

The Senate amendments to

No. 109, A., a bill for an act to authorize the town of Half moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in that town;

And

No. 70, A. a bill for an act to amend chapter 73, of the Revised Statutes, entitled "of joint stock companies;"

Were concurred in.

No. 89, S., a bill for the relief of Nathan B. Langdon and others.

On motion of Mr. Boyd, the Assembly refused to recede, and asks a committee of conference.

The speaker appointed Messrs. Boyd, Brooks, and Bettis as said committee, on the part of the Assembly.

J. Res., No. 15, S.;

Instructing the committee on Benevolent Institutions to report a bill in regard to the State Hospital for the insane;

Was laid on the table.

LLS AND RESOLUTIONS FROM THE SENATE.

On their first and second reading.

The following bills were severally read the first and second time, and placed on the General File:

No. 99, S., a bill for an act to incorporate the La Crosse Valley Seminary.

No. 125, S., a bill for an act to amend an act entitled "an act to incorporate the city of Prescott."

No. 130, S., a bill to amend an act entitled "an act to incorporate the La Crosse Hydraulic Co."

No. 169, S., a bill for an act to repeal chap. 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;" also, chap. 502 of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad," approved Oct. 11, 1856; also, chap. 138, of the Private and Local Laws of 1858, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad."

No. 172, S., a bill for an act to incorporate the village of Mauston, in Juneau county.

No. 175, S., a bill for an act relating to the State tax of the county of Door.

And,

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon.

BILLS ON THIRD READING.

The Assembly refused to concur in the passage of

No. 10, S., a bill to permanently fix the compensation of the officers and employees of the Legislature;

By the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Barden, Barnum, Bettis, Blackman, Boyd, Brooks, Bugh, Bunn, Burt, Child, Cobb, Dewolf, Farwell, Fischer, Golden, Griswold, Hayden, Holton, Howland, Johnson, Judd, Kiefer, Langland, Lewis, McKay, Mitchell, Moore, Nash, Ordway, Rogers, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Whiting and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Bartlett, Beath, Bouck, Bovay, Cole, Dockry, Elmore, Fairchild, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hesk, Horn, Horton, Humann, Hunkins, Jackson, Keogh, Kingsbury, Mackay, Meigs, Miller, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Sutton, VanderCook, Winter, Wood and Young—42.

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chapter 155, of the General Laws of 1858, entitled "an act providing for the appointment of a comptroller, and prescribing his duties;"

No. 17, S., a bill for an act to repeal chapter 201, of the General Laws of 1859, entitled "an act to remit certain penalties imposed by section 59, chapter 26, of the Revised Statutes, entitled "of school and university lands;"

And

No. 87, S., a bill for an act to legalize the proceedings of the district board of school district No. 5, of the town of Platteville, Grant county;

Were read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county;

No. 165, A., a bill for an act to incorporate the village of Pepin;

No. 334, A., a bill for an act for the relief of settlers upon the even sections of Fox and Wisconsin River Improvement Company;

No. 343, A., a bill for an act to provide for laying out a State road from Shawanaw to the State line;

And

No. 33, A., a bill for an act to lay out a State road from Eau Plaine to Eau Claire;|

The title to be amended by striking out "Eau Plaine," and inserting "Stevens Point."

REPORT.

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled :

No. 402, A., an act to provide for the filling vacancies in the office of judge and clerk in the municipal court in the city and county of Milwaukee.

C. MILLER, *Ch'n of Assem. Com.*

Said bill was signed by the Speaker.

On motion of Mr. Judd,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the General file of bills,

Mr. Holton in the chair ;

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 367, A., a bill to amend chapter 164, of the Revised Statutes, entitled "of offences against the lives and persons of individuals," and to provide for the punishment of the crime of murder in the first degree ;

With recommendation that it be made the special order for the 8th inst.

No. 315, A., a bill for an act to amend sec. 3, of chap. 190, of the Revised Statutes, entitled "of prisons generally and common jails ;"

With recommendation that the enacting clause be stricken out.

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's Message in foreign languages, and for an appropriation of money for the payment therefor ;

Without amendment.

No. 281, A., a bill for an act to amend subdivision 4, of sec. 11, of chap. 23, of the Revised Statutes, entitled "of common schools ;"

With recommendation of recommitment.

REPORT OF COMMITTEE OF THE WHOLE,

Considered.

No. 367, A.,

Was made the special order for the 8th inst.

No. 315, A.,

Was referred to Select committee of three, consisting of Messrs. Howland, Holton and Cole.

No. 319, A.,

Being under consideration, and

The question being on ordering said bill to be engrossed,

Mr. Fischer moved the previous question,

Which was seconded, and

The question being, "shall the main question be now put,"

The ayes and noes were called and ordered,

And it was so ordered, by the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Fischer, Griswold, Holton, Horton, Johnson, Judd, Langland, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Smith, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—45.

Those who voted in the negative, were

Messrs. Ahlhauser, Beath, Bouck, Bow, Boyd, Cole, Coles, Dockry, Fairchild, Goodwin, Grover, Hartung, Hayden, Hesk, Horn, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Meigs, Mulholland, Neville, Palmer, Patchin, Rankin, Robertson, Rogers, Ruan, Schmitdner, Seaton, Simpson, Sutton and Winter—35.

And the question occurring on ordering said bill to be engrossed,

It was so ordered by the following vote:

Those who voted in the affirmative were:

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Fischer, Goodwin, Griswold, Hammarquist, Hayden, Holton, Horn, Horton, Johnson, Judd, Langland, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—50.

Those who voted in the negative were:

Messrs. Ahlhauser, Barnum, Beath, Bouck, Bow, Boyd, Cole, Dockry, Fairchild, Griffin, Grover, Hartung, Hesk, How-

land, Humann, Hunkins, Jackson, Keogh, Kingsbury, Meigs, Mulholland, Neville, Palmer, Patchin, Rankin, Ruan, Schneider, Seaton, Simpson, Sutton and Winter—31.

Mr. Horn moved to adjourn;

Which was disagreed to.

Mr. Horn asked leave to present a report;

Which was disagreed to.

Mr. Ordway moved to reconsider the vote by which No. 319, A.,

Was ordered to be engrossed.

Mr. Horn moved to adjourn;

Which was disagreed to.

The question occurring upon Mr. Ordway's motion to reconsider;

Mr. Judd moved to lay said motion on the table;

Which motion prevailed.

On motion of Mr. Bouck;

The Assembly adjourned.

FRIDAY, MARCH 2, 10 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleton officiated as chaplain.

On motion of Mr. Humann,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Elmore,

No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the swamp land fund;

Was taken from the general file,

And referred to the committee on Claims.

The following named gentlemen were granted leave of absence:

Mr. Smith for two days;

Messrs. Baldwin and Langland for three days;

Messrs. Brooks, Clise, Seaton and Griffin until next Tuesday.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bouck:

Mem. No. 270, A., of Philetus Sawyer and others, concerning dam on little Wolf river;

To the delegation from Winnebago, Outagamie, Shawanaw and Waupaca, and Mr. Lewis.

By Mr. Ordway:

Mem. No. 271, A., of John M. Higbee, O. H. P. Fisher and others, to legalize laying a certain highway;

To the committee on the Judiciary.

By Mr. Bartlett:

Mem. No. 272, A., of D. W. Markele and 236 others, for the removal of the county seat of Pepin county;

To committee on Town and County Organization.

By Mr. Wood:

Mem. No. 273, A., to detach certain towns from the county of Monroe, and to annex the same to the county of Juneau;

To committee on Town and County Organization.

By Mr. Westcott:

Mem. No. 274, A., of A. Ludlow and others, asking for the repeal of the law requiring special legislation to change the boundaries of union school district No. 8, in the town of Monroe;

To committee on Education.

By Mr. McKay:

Mem. No. 275, A., of A. Tower and forty others, to detach a part of Monroe county, and annex it to Juneau county;

To committee on Town and County Organization.

By Mr. Dockry:

Mem. No. 276, A., of citizens of Milwaukee, against the death penalty;

To committee of the whole, with No. 367, A.

By Mr. Neville:

Mem. No. 277, A., of Hoel S. Wright and others, citizens of Brown county, for charter for a bridge across the Fox river, at Wrightstown, in said county;

To committee on Roads, Bridges and Ferries.

By Mr. Boyd:

Mem. No. 278, A., of Henry F. Belitz and others, citizens of Schlesing, county of Manitowoc, for the laying of a State Road;

And

Mem. No. 279, A., of Matthias Burgeois and others citizens of the town of Calumet, county of Fond du Lac, for the laying out of a State road;

And

Mem. No. 280, A., of Wm. Danforth and other citizens of the town of Meeme, Manitowoc county, for the laying out of a State road.

And

Mem. No. 280, A., of Jacob Leeson and others, citizens of the town of Centerville, Manitowoc county, for the laying out of a State road;

To accompany bill No. 421, A

ACCOUNTS

Presented and referred to the committee on Claims.

By Mr. Hayden:

No. 70, A., the account of N. L. Andrews.

RESOLUTIONS INTRODUCED.

By Mr. Judd:

J. Res. No. 24, A.,

Resolved, by the Assembly, the Senate concurring, That one thousand extra copies of the message and accompanying documents, of the Governor on the subject of the swamp land survey, transmitted to the Assembly on Tuesday, the 28th inst., be printed, viz : six hundred for the use of the Assembly, three hundred for the Senate, and one hundred for the Governor.

On motion of Mr. Judd,

The rules were suspended for the purpose of considering said resolution.

Mr. Hunkins moved to amend by striking out the words "one," "six," "three" and "one," and inserting "two," "twelve," "six" and "two" in place thereof respectively;

Which was agreed to.

Mr. Bouck moved to amend the resolution as amended so as to read as follows: "fourteen hundred to the Assembly, and four hundred to the Senate;"

Which was agreed to.

And the resolution, as amended, was adopted.

By Mr. Weage:

J. Res. No. 25, A.,

Resolved, by the Assembly, the Senate concurring, That this Legislature will adjourn, *sine die*, on Tuesday, the 20th day of this month, at 10 o'clock, A. M., and that this Legislature will receive no new business after the 14th day of this month;

Which lies over.

By Mr. Wheeler :
J. Res. No. 26, A.,

Resolved, by the Assembly, the Senate concurring, That a joint select committee of five be appointed, consisting of two from the Senate and three from the Assembly, to whom Senate bill No. 11, and Assembly bill No. 412, shall be referred, and that the committee so appointed be instructed to report at as early a day as practicable ;

On motion of Mr. Elmore,

The rules were suspended for the purpose of considering said resolution.

Mr. Griswold moved to strike out all after the word "Resolved," and insert "that bill No. 11, S., and bill No. 412, A., be made the special order for next Tuesday, and for each succeeding day until disposed of ;

Which was agreed to,

And the resolution as amended was adopted.

By Mr. Palmer :
Res. No. 101, A.,

Resolved, That when the Assembly adjourn on to-morrow it will adjourn to meet on Monday next at 3 o'clock, P. M. ;

Which being of a privileged character.

The question was taken, and

The resolution adopted.

RESOLUTION CONSIDERED.

Res. No. 100, A.,

Instructing committee on Agriculture to report bill No. 47, A.,

Introduced by Mr. Dockry yesterday ;

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Bartlett :

No. 419, A., a bill for an act to extend the time for the payment of the interest due the school fund of this State on school, university and swamp lands ;

To committee on Education with instructions.

By Mr. Young :

No. 420, A., a bill for an act to provide and appropriate compensation to the officers of the Legislature ;

To committee on Claims.

By Mr. Boyd :

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's Mill, in Manitowoc county, to the town of Calumet, in Fond du Lac county ;

To committee on Roads, Bridges and Ferries.

By Mr. Phillipps :

No. 422, A., a bill for an act to incorporate the village of Wausau ;

To committee on Incorporations.

By Mr. Wescott:

No. 423, A., a bill for an act to repeal so much of section 6, of chapter 143, of the Private and Local Laws of 1857, as relates to the alteration of the boundaries of Union School District No. 8, of the town of Monroe, in Green county ;

To committee on Education.

By Mr. Moore:

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled " of the publication of legal decisions ;"

To committee on Judiciary.

By Mr. Jackson:

No. 425, A., a bill for an act to amend section 11, of chap. 110, of the Revised Statutes, entitled " of the registration of marriages, births and deaths."

To committee on Judiciary.

By Mr. Goodwin:

No. 426, A., a bill for an act to amend section 21, of chap. 134, Revised Statutes, entitled " of executions and proceedings supplemental thereto ;"

To committee on Judiciary.

By Mr. Palmer:

No. 427, A., a bill relating to certain notices affecting real estate ;

To committee on Judiciary.

And,

No. 428, A., a bill to provide for the registering of certain marks in logs and timber ;

To committee on Judiciary.

By Mr. Kingsbury:

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof ;

To committee on Judiciary.

By Mr. Neville:

No. 430, A., a bill for an act to incorporate the Depere and Appleton Railroad company;

To committee on Railroads.

By Mr. Fairchild:

No. 431, A., a bill for an act concerning the coupons of the capitol extension bonds, issued by the city of Madison.

To committee on Judiciary.

REPORTS OF COMMITTEES.

The committee on Engrossed bills respectfully report that they examined and compared the following bill, and find it correctly engrossed:

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bill, and find it correctly engrossed under Rule 48:

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for an appropriation of money for the payment therefor.

M. HOWLAND, *Ch'n.*

The joint committee on Enrolled Bills, report that they, on 1st inst., presented to the Governor, for his approval, the following bills:

No. 402, A., a bill for an act to provide for filling vacancies in the offices of judge and clerk of the municipal court, in the city and county of Milwaukee;

No. 30, A., a bill for an act authorizing the county board of St. Croix county, to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named;

No. 75, A., a bill for an act for the relief of settlers on the 16th section, town 26, range 15, in Shawano county;

No. 101, A., a bill for an act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of town insurance companies;"

No. 111, A., a bill for an act to reduce the capital stock of the Bank of Manitowoc;

No. 127, A., a bill for an act to reduce the capital stock of the Farmers' and Millers' Bank of Milwaukee;

No. 124, A., a bill for an act to permit the Dodge County Bank to reduce its capital stock;

No. 187, A., a bill for an act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856;

No. 74, A., a bill for an act authorizing the county board of Douglass county, to lay out, establish and improve a road leading from Superior through unsettled portions of the State, and to appropriate money thereupon;

No. 346, A., a bill for an act to amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereto.

The committee on Enrolled Bills report that they have examined and compared the following bill and find the same correctly enrolled:

No. 120, A., an act to "incorporate the Eau Claire Manufacturing and Booming company."

C. MILLER, *Ch'n.*

Said bill was signed by the Speaker.

The committee on Agriculture and Manufactures, to whom was referred:

No. 47, A., a bill for an act to amend section 1, of chap. 60, of the Revised Statutes, entitled of the rates of toll for grinding;

Have had the same under consideration, and have directed me to report the same back with a substitute herewith submitted, and recommend that the substitute do pass.

B. H. BETTIS, *Ch'n.*

The substitute reported was agreed to.

The Select committee to whom was referred:

No. 315, A., a bill for an act to amend section 3, of chap. 190, of Revised Statutes, entitled "of prisons generally and common jails;"

Have had the same under consideration, and direct me to report it back respectfully, with amendment, and recommend its passage, when amended.

M. HOWLAND,
E. D. HOLTON,
SAMUEL CO LE.

The amendment reported by said committee, was agreed to.

The committee on Charitable and Religious Societies, to whom was referred the following bills, have had the same under consideration, and respectfully report the same back to the House, and recommend as follows:

No. 348, A., a bill for an "act to provide for the proper burial of the dead;"

With amendments, and when so amended, recommend its passage.

And

No. 181, A., a bill for an act entitled an act of the registration of births, marriages and deaths;

That the enacting clause be stricken out.

No. 221, A., a bill for "an act to incorporate religious societies;"

That the enacting clause be stricken out.

The committee are of the opinion that the objects sought in bill No. 221, can be fully obtained under the provisions of chapter 66, of the Revised Statutes.

JOHN DEWOLF, *Ch'n.*

The committee upon the Militia then reported upon

Mem. No. 233, A., a communication of S. W. Smith;

Which was,

On motion of Mr. Horn,

Laid upon the table.

The committee on Claims, to whom were referred accounts

No. 42, A., of Milo Coles for expenses incurred in contesting the seat of Daniel C. Jenne, of the Outagamie Assembly district;

No. 68, A., the account of G. D. Norris, for flag-staff and flag furnished Superintendent of Public Property for use of the State;

No. 69, A., the account of Wm. P. Barnes for services as doorkeeper of the Assembly of 1858;

Have had the same under consideration, and report them back by bills:

No. 432, A., a bill for an act to appropriate to Milo Coles the sum of \$50 98;

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122 45;

No. 434, A., a bill for an act to appropriate to William P. Barnes the sum of \$27;

And recommend the passage of said bills.

HEBER SMITH, *Ch'n.*

Said bills Nos. 432, 433, and 434,

Were read twice, and sent to the general file.

The committee on Town and County Organization to whom was referred

No. 398, A., a bill for an act defining the boundaries of the towns of Orwell, Caledonia and Mt. Pleasant, and organizing the town of Racine, in Racine county;

Also

Mems. Nos. 642, and 159, A., relating to the same subject;

And report the same back with the recommendation that the

bill and memorials be referred again to the delegation from the county of Racine.

J. P. DICKSON, *Ch'n.*

Said bill and memorials were referred as recommended.

The committee on Town and County Organization to whom was referred

No. 418, A., a bill for an act to amend an act entitled "an act to incorporate the village of Waterloo;"

And have had the same under consideration, and report the same back to the House, with the recommendation that the bill do pass.

J. P. DICKSON, *Ch'n.*

The committee on Incorporations, to whom was referred

No. 416, A., a bill for an act to amend an act entitled "an act to incorporate the city of LaCrosse, and the several acts amendatory thereof, approved March 14, 1856;"

Have had the same under consideration, and instruct me to report it back to the Assembly with the recommendation that it do pass;

Also

No. 406, A., a bill for an act to incorporate the Delavan Academy;

Has been considered by said committee, and the same is reported back to the Assembly with amendments, and its passage recommended as amended.

E. W. YOUNG.

The committee on Town and County Organization, to whom was referred

No. 379, A., a bill for an act for town and school organization, in the county of Clarke.

Also

No. 239, —, a bill for an act on the same subject;

Have considered the same, and report, that as all the objects asked for can be obtained under the general law, your committee report the same back with the recommendation that the further consideration of the subject be indefinitely postponed.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred

Mem. No. 249, A., of John Cooper and 18 others, citizens of Greenfield, Milwaukee county, for a division of said county;

Herewith report the same back to the Assembly, and recommend its indefinite postponement.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred, bill

No. 123, A., a bill for an act to strike certain territory from the county of Lafayette, and attach the same to the county of Iowa;

Also,

Mem. No. 68, A.,

On the same subject, and report the same back with the recommendation that the bill do not pass.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred, bill

No. 376, A., a bill for an act to repeal chapter 186, of the Private and Local Laws of 1859, entitled "an act to divide the the town of Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell in said county;

Also,

Mem. No. 246, A., of James R. Moore and 107 others, remonstrating against the passage of bill

No. 376, A.,

And have examined the whole question, and report the same back to the house with the recommendation that the bill be indefinitely postponed.

J. P. DICKSON, *Ch'n.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Law of 1859, entitled an act to incorporate the city of Buffalo;

No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled of joint stock companies;

No. 886, A., a bill for an act to extend the time for the collection of taxes in the city of Portage;

No. 153, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled an act to incorporate the La Pointe Iron Company, approved March 5th, 1859;

No. 179, A., a bill for an act to amend chapter 132, of the Private and Local Laws of 1859, entitled an act to amend an act entitled an act to incorporate the city of Beaver Dam;

No. 109, A., a bill for an act to authorize the town of Half

Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said town.

C. MILLER, *Ch'n Assem. Com.*

Said bills were signed by the Speaker.

The committee on Town and County Organization to whom was referred

No. 408, A., a bill for an act to change the name of the town of Lander, in the county of Grant, to the name of Tafton ;

Have considered the same, and report the same back with the recommendation that it do pass.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization to whom was referred

No. 131, A., a bill for an act to provide for the removal of the county seat of Iowa county ;

Also

Mem. No. 65, A., of L. M. Strong and 1,495 others, legal voters of Iowa county, praying for the removal of the county seat of said county of Iowa ;

Also

Mem. No. 67, A., of John Toay and 1,540 others, legal voters of Iowa county, against the passage of any law for the removal of the county seat of Iowa county ;

Also

Mem. No. 139, A., of Ole Oleson and 71 others, legal voters of Iowa county, against the removal of said county seat ;

Also

Mem. No. 86, A., of George Goldthorp and 520 others ;

And also

Mem. No. 93, A., of Edward Wilkins and 127 others, legal voters of Iowa county, against the passage of any law for the removal of the county seat of Iowa county. And who were also instructed to report all the facts on the subject contemplated by said bill, petitions and remonstrances ;

Have had the same under consideration, and hereby report the same back to the Assembly, and recommend that the enacting clause of the bill be stricken out, and that your committee be discharged from the further consideration of the memorials.

While your committee agree in the general proposition that the majority of the people ought to rule in matters of government, in a free country, they are not insensible of the experience of the past, which clearly shows that the frequent submission of local questions to the popular vote is often attended with disastrous consequences, corrupting the morals of the people and tending to bring the ballot-box, "*that sacred ark of Liberty, into disgrace and contempt,*" tending to disturb the regu-

lar channels of business, trade, settlement and finance, throughout the local community more immediately interested, and often seriously prejudicing the interest and prosperity of the State at large.

It is conceded that there scarcely is a single instance, and your committee cannot cite a single one, within the history of our State government, where a county seat having once been permanently located, and county buildings erected, has ever been finally and permanently removed; and it would be difficult to estimate the sum in money and time spent in legislation, canvassing, &c., in the fruitless attempts generally instigated by interested parties for pecuniary considerations to bring about such removals. In view of the above and foregoing considerations, your committee are of the opinion that the Legislature should never submit a question of this character to the popular vote until it be made to appear that such submission is called for, by at least a respectable majority of the inhabitants of the county who choose to make their views known to the Legislature. In the case considered by your committee, the reverse is clearly apparent. The passage of the bill is prayed for by one thousand four hundred and ninety-six petitioners, while the same is remonstrated against by one thousand seven hundred and sixty-two memorialists, showing a majority of those who have made known their wishes to the Legislature, of two hundred and sixty-six against the re-opening of this question, by submission to the people.

Your committee might excuse themselves from extending this report to greater length, as the above are the only material facts which have been presented to them in a regular and authenticated form, but as they were instructed by the Assembly to report all of the facts within their knowledge bearing upon the subject, and they having heard various statements on both sides of the question, in which most of the gentlemen representing the different sides of the question agree, as to matters of fact, and one of your committee being, to a considerable extent, acquainted with the geography and history of Iowa county, they submit the following to the consideration of the Assembly:

By reference to the map, it will be seen that the eastern and western lines of Iowa county are each of about the length of twenty-seven miles, extending from the northern boundary of LaFayette county to the Wisconsin river, while a line drawn through the center of the county would be about twenty-four miles in length. This is caused by a detour or curve to the south of the Wisconsin river, near the center of the northern line of the county. Both Mineral Point and Dodgeville are

nearly in the center of the county, east and west, Dodgeville being about one mile and a half, and Mineral Point being about seven and a half miles from the geographical center. Dodgeville, therefore, being six miles nearer to the geographical center than Mineral Point.

The county is divided nearly in the center north and south, by what is usually known as the Military Ridge, which separates the head waters of the Picketoneca River from those of a number of small streams emptying into the Wisconsin River.

The ridge is distant from ten to fifteen miles from the Wisconsin river, and conforms to the course of that river in respect to the South bend thereof.

There are two railroads in the county of Iowa, the Milwaukee and Mississippi railroad entering the county at the extreme north-east corner of the same, running west near the Wisconsin River for about nine and one-half miles, when it crosses that stream into Sauk county, and running down the northern bank of said stream a distance of about ten miles, it again crosses over and runs through the north-west corner of said county, a distance of about ten miles, so that there is no railroad or other thoroughfare running from east to west, north of the centre of said county.

The city of Mineral Point is in the centre of that part of the county lying south of the Military ridge. The Mineral Point Railroad connecting said city with the Illinois Central Railroad at Warren, in the State of Illinois, and destined to connect with the southern branch of the Milwaukee and Mississippi Railroad, as soon as the same shall be extended westward from Monroe.

The county of Iowa once embraced, besides her present territory, that now constituting the counties of Grant and Lafayette, and the greater portions of Green and Dane. Mineral Point then was, as she now is, the county seat. After the counties of Grant, Dane and Green were organized, but before the organization of Lafayette county, the present county building were erected at a cost of about twenty thousand dollars. These buildings consist of a large stone Court House, with cells for prisoners in the lower story, together with office for the county Judge, office and two rooms for residence of the Sheriff or jailor, also on the lower floor; and a Court room and two jury rooms in the second story; also a large stone building called the county building, designed for and used as offices for the clerk of the Circuit Court, clerk of the Board of Supervisors, county Treasurer and Register of Deeds.

Upon the division of Iowa county, by the erection of the county of Lafayette, the people of the remaining county of

Iowa, were required to vote upon the question of the location of the county seat, the contest was then between Mineral Point and Dodgeville, and the people then, by a large majority decided in favor of Mineral Point.

In the year 1858, the Legislature passed an act submitting the question to a vote at the annual election of 1858, as by the enrollment act now in the office of the Secretary of State, but as appears, by the act published in the volume of Private and Local Laws, of that year, the election was to have taken place at the annual town meeting, in April, of that year. This error was discovered too late to remedy it. Yet the people of Dodgeville procured a republication of the act a short time before the election, and the question was voted on at the several places of voting in said county, and resulted in a majority in favor of removal, of 350 votes. This election was afterwards, by the Supreme Court of the State, declared to be null and void.

Previous to said election, the property holders of Dodgeville subscribed for the purpose of building county buildings, (when ordered by the county board of said county,) the sum of eight thousand and ten dollars, to aid in building county buildings in said county, free of charge to the county. After the result of the election in favor of Dodgeville, they applied for and received from the county board, the sum of one thousand nine hundred and ninety dollars, to aid in building the county buildings, and entered into a contract or agreement to build a court house some larger than the one at Mineral Point, for that sum, in addition to the said subscription. This building is now enclosed, the roof on and the first floor laid, and that to erect a suitable fire proof building, for county offices, will cost an additional sum of several thousand dollars.

The outlay of so much money in addition to the heavy taxes already imposed upon the people for the ordinary expenses of town, county and state government, should in the opinion of your committee, only be imposed upon the people at a call of a most urgent public necessity.

And a majority of your committee, for the above reasons, but imperfectly set forth and expressed, are fully of the opinion that no such necessity exists in this case.

J. P. DICKSON,
WM. McMICHAEL,
A. GREEN.

Messrs. Bugh and Simpson dissenting from this report.

On motion of Mr. Judd,

Said bill was made a special order for next Wednesday, at 11 o'clock.

The committee on Internal Improvements to whom was referred bills

No. 77, A., a bill for an act to repeal chapter 830, of the Private and Local Laws of 1855, entitled an act to incorporate the Wisconsin River Hydraulic Company;"

Also,

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie and their successors, to build and maintain a dam across the Wisconsin River;"

Also,

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1856, entitled an act to amend chapter 830, of the Private and Local Laws of 1855;

Also petitions

Nos. 114, 201, 202, 203, 209, and 261, A.,

Signed by 496 citizens of the state interested in the navigation of the Wisconsin river, setting forth that the dam at Kilbourn is an obstruction to the navigation of said stream, causing, annually the loss and destruction of large quantities of lumber, besides endangering the lives of persons engaged in running of lumber on said stream, praying that the various laws of the state authorizing the construction of said dam, be repealed, and that an appropriation be made by the legislature sufficient to cover the expense of removing said dam;

Also,

Mem. No. 171, A., consisting of the affidavits of John F. Bull and 28 others, showing a loss by the said affiants of about (\$16,000) sixteen thousand dollars worth of lumber by said dam during the past season;

Also,

Mems. No. 204 and 236, A., being remonstrances signed by 121 citizens of Kilbourn City and surrounding country, against the repeal of said Laws, claiming that such repeal would work great injury to their property;

Also,

Mem. No. 210, A., by the Wisconsin River Hydraulic Company;

And,

Mem. No. 235, of William Vliet, remonstrating against said repeal, claiming, among other things that such repeal would be an act of bad faith on the part of the State, as they have vested rights acquired under said laws;

Have had the same under Consideration, and find that said Wisconsin River Hydraulic Company have not constructed their dam in accordance with the provisions of the act incorporating the same, and a majority of the committee have instructed me to report back the said bills

Nos. 77, 78 and 79, A.,

With amendments, and recommend that the same do pass as amended.

And further, that they are not in favor of recommending any appropriation as prayed by the memorialist at this time.

J. W. BURT, *Ch'n.*

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, February 29, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive signature, and have been deposited in the office of the Secretary of State :

An act to amend chapter 134, of the Revised Statutes, entitled "of executions, and proceedings supplementary thereto;

An act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie;

An act to amend chapter 164, of the General Laws of 1859, entitled "an act to provide for the drainage and reclamation of the swamp and overflowed lands in the counties of Calumet, Brown, Oconto, Kewaunee and Door;"

An act to amend chapter 8, of the General Laws of 1859, entitled "an act in relation to the publication of legal notices ;"

An act authorizing the commissioner of school lands to vacate a certain sale to Ephraim Cole;

An act amendatory of and supplemental to an act entitled "an act to provide for the re-assessment of certain taxes in the city of Racine, for the years 1856 to 1859, inclusive," approved February 10, 1860;

An act to provide for the disposal and expenditure of the drainage fund in the county of Waushara;

An act releasing the directors of "Star Rifle Company," of Oshkosh, Winnebago county, from the obligation of a certain bond;

An act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

An act to appropriate to Chauncy Abbott the sum of \$200;

An act to amend chapter 222, of the session laws of 1859, entitled "an act to change the name of Amanda Louisa Crumb, to Amanda Louisa Brand."

An act to permit the Bank of Beloit to reduce its capital stock.

An act to amend section 1, of chap. 66, of the Private Laws

of 1855, entitled "an act to amend an act entitled "an act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad company.

An act concerning the terms of Court in the fourth Judicial Circuit.

An act to change the time of holding terms of Circuit Court for the county of Dane.

An act to extend the time for collecting taxes in the town and city of Ripon.

An act to amend an act entitled "an act to incorporate the Mineral Pt. Seminary.

An act to provide for filling vacancies in the office of Judge and Clerk of the Municipal Court, in the city and county of Milwaukee.

An act authorizing the county Board of Supervisors of St. Croix county to lay out a road from Hudson, in said county, to the west boundary of Dunn county, and to make certain appropriations therein named.

An act for the relief of settlers on the sixteenth section, of town 26, range 15, in Shawanaw county.

An act to amend chapter 46, General Laws of 1859, entitled "an act for the formation of town Insurance companies."

An act to reduce the capital stock of the Bank of Manitowoc.

An act to reduce the capital stock of the Farmers and Milners Bank of Milwaukee.

An act to permit the Dodge County Bank to reduce its capital stock.

An act authorizing the county Board of Douglas county to lay out, establish and improve a road leading from Superior through unsettled portions of the State, and to appropriate money therefor.

An act to amend section 15, of chapter 10, of an act entitled "an act to incorporate the city of Beaver Dam," approved March 18th, 1856.

An act to amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereto.

ALEXANDER W. RANDALL

BILLS READY FOR A THIRD READING.

No. 78, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse;

Was read a third time and passed;

No. 291, A., a bill for an act conferring jurisdiction on the court of Winnebago county;

Mr. Bouck asked unanimous consent to amend sec. 25, so as to read as follows:

"This act shall take effect and be in force from and after the first day of April next;"

Which was agreed to,

And said bill was read a third time and passed.

On motion of Mr. Farwell,

J. Res. No. 15, S.,

Instructing the committee on Benevolent Institution to report a bill in regard to the State Hospital for the Insane;

Was taken from the table, and

On motion of Mr. Judd,

The rules were suspended, and

The resolution adopted.

On motion of Mr. Weage,

The vote by which the Assembly refused to order to a third reading

No. 301, A., a bill for an act to appropriate to Mitchell L. Delaney the sum of \$115 30;

Was reconsidered.

Mr. Bouck moved to amend said bill, by striking out "one hundred and fifteen dollars and thirty cents," and inserting "seventy-five dollars;"

Which was agreed to,

And said bill

No. 301, S.,

Was ordered to be engrossed.

On motion of Mr. Horn,

The rules were suspended, and

No. 301, A.;

Was read a third time.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Bartlett, Bettis, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Child, Cobb, Cole, DeWolf, Dockry, Fairchild, Farwell, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Horn, Horton, Howland, Humann, Hunkins, Kingsbury, Mackay, McKay, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Ordway, Phillips, Rankin, Robertson, Rogers, Simpson, Stannard, Sumner, Sutton, Upson, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Young and Mr. Speaker--55.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Ballantine, Barden, Barnum, Dickson, Elmore, Golden, Hesk, Holton, Keogh, Meigs, Nash, Neville, Palmer, Raun and Schmitdner--17.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., chief clerk thereof :

Mr. SPEAKER:

I am directed to present to you for signature

No. 48, S., a bill for an act to amend an act entitled an act to prevent the sale of unripe cranberries, approved March 17, 1859;

No. 88, S., a bill for an act authorizing the issuing patents to deceased persons in certain cases;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of Revised Statutes, entitled "of forgery and counterfeiting;"

No. 115, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 121, S., a bill for an act to authorize the Lumberman's Bank to reduce its capital stock;

No. 122, S., a bill for an act to authorize the Bank of Mendota to reduce its capital stock;

No. 126, S., a bill for an act to authorize the Northern Bank to reduce its capital stock;

No. 189, S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock;

No. 137, S., a bill for an act to authorize the commissioners of school and university lands to assign a certain mortgage:

I am further directed to inform you that the Senate has appointed Messrs. Phillips and Ferguson as committee of conference on

No. 89, S., a bill for an act for relief of Nathan B. Langdon and others.

Mr. Holton was granted leave of absence for three days.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On the general file of bills,

Mr. Wheeler in the chair;

After some time spent therein the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 148, S., a bill for an act to amend section 1, of chapter 51, of the Private and Local Laws of 1858, entitled "an act to

authorize School District No. 5, in the town of Platteville, in Grant county, to borrow money;"

No. 156, S., a bill for an act to amend sections 8 and 16, of chapter 340, of the Private and Local Laws of 1856, "an act to incorporate the Arena and Dubuque Railroad Company;"

No. 166, S., a bill for an act to amend section 52, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

No. 283, A., a bill for an act to equalize the state tax for Brown county;

No. 312, A., a bill for an act for the preservation of game;

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12;

And

No. 392, A., a bill for an act to appropriate to Louis Gootman the sum of \$98 86;

Without amendment.

No. 27, S., a bill for an act to amend section 26, of chapter 139, of the Revised Statutes, entitled "of appeals and writs of error and proceedings therein;"

With recommendation of reference to the committee on the Judiciary.

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats, and vessels, and to repeal chapter 150, of the Revised Statutes;"

With an amendment.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 27, S.,

Was referred to the committee on the Judiciary.

The amendment to

No. 328, A.,

Was concurred in, and

Nos. 227, 283, 312, 361, 362, 391, 392, and 328, A.,

Were ordered to be engrossed for a third reading.

Nos. 148, 156 and 166, S.,

Were ordered to a third reading.

Mr. Humann moved to adjourn to 9 o'clock, A. M., to-morrow.

Mr. Wescott moved to amend by adjourning until 8 o'clock this afternoon.

Mr. Judd moved to adjourn ;

Which was disagreed to.

Mr. Wescott's amendment was lost.

And the question occurring on Mr. Humann's motion,

The Assembly adjourned until 9 o'clock, A. M., to-morrow.

SATURDAY, MARCH 8, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Miller,

The reading of the journal of yesterday was dispensed with.

The following named gentlemen were granted leave of absence:

Mr. McKay for an indefinite time;

Messrs. Hammarquist, Ruan, Goodwin, Humann, DeWolf, Weage, Judd, Dickson, Hartung, Nash, Robertson, Boyd, Hayden and Horton, until Monday next;

Messrs. Ballantine, Holton and Westby, until Tuesday.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Wheeler:

Mem. No. 282, A., remonstrance of Asa Richardson and 39 others, against the passage of a law for a division of Union school district No. 8, of Monroe township, in the county of Green; also against any change in the boundary of said district;

To committee on Education.

Mem. No. 283, A., remonstrance of A. J. Sutherland and 47 others, against a division of school district No. 8, of Mon-

roe township, in the county of Green, or of changing the boundaries thereof;

To committee on Education.

By Mr. Goodwin:

Mem. No. 284, A., of J. A. Bryan, and 210 others, in reference to the north-eastern land grant railroad;

To committee on Railroads.

By Mr. Holton:

Mem. No. 285, A., remonstrance of P. Eagleman and 101 others, against the abolition of the death penalty;

To accompany bill No. 367, A.

By Mr. Stannard:

Mem. No. 286, A., of P. H. Smith and 738 others of Sheboygan County, for the removal of county seat to the village of Plymouth, in said county;

To committee on Town and County Organization.

ACCOUNTS

Presented and referred to the committee on Claims.

By Mr. Fairchild:

No. 71, A., the account of Muldoon & Crampton.

RESOLUTIONS INTRODUCED.

By Mr. Hunkins:

J. Res No. 27, A.,

Whereas, Information has been received that the United States of America, (whose relations with this State were formerly of a friendly character,) have recently restrained of his liberty, for the third or fourth time, one of our citizens who has long been regarded as a martyr to freedom, and some other little things;

And whereas, The State is honorably bound to protect the liberty of its citizens against foreign power;

Resolved by the Assembly, the Senate concurring, That the Governor be and hereby is directed to declare war against the United States, and that Brigadier General S. W. Smith is hereby appointed commander-in chief of all the armies of this State, and the Glover Rescue and Danan Monument Funds are hereby placed at the disposal of the said Gen. Smith, for the purpose of putting the army on a war footing;

Which the Speaker declared unconstitutional and out of order.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. Dickson:

No. 435, A., a bill for an act to amend an act entitled "an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act and to amend the same, approved March 25, A. D. 1858, and all acts amendatory of said act;

To committee on Incorporations.

By Mr. Cobb:

No. 426, A., a bill for an act to amend chapter 131 of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Mineral Point;"

On motion of Mr. Cobb;

The rules were suspended, and

No. 436, A.;

Was read a third time, and passed, and the title agreed to.

By Mr. Neville:

No. 437, A., a bill for an act to amend an act, entitled "an act to authorize the laying out of a State Road, from the town of Howard, Brown county, to the Menominee river;"

To committee on State Affairs.

By Mr. Bouck:

No. 438, A., a bill for an act to amend section 88; of chapter 134, Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

To committee on Judiciary.

By Mr. Farwell:

No. 439, A., a bill for an act to amend section 18, of chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

To the committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Education, School and University Lands to whom was referred bill

No. 419, A., entitled a bill for an act to extend the time for the payment of the interest due the school fund of this State, of school, university, and swamp lands;

Have had the same under consideration, and direct me to report it back with the recommendation respectfully, that its further consideration be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred bill

No. 417, A., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases;

Have had the same under consideration and direct me to report it back with amendments, and recommendation that if the amendments are concurred in by the Assembly, the bill do pass when so amended.

EDWARD D. HOLTON, *Ch'n.*

Mr. Holton moved to suspend the rules for the consideration and final passage of said bill;

Which the house refused to do.

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled:

No. 235, A., a bill for an act to amend an act entitled "an act to incorporate the village of Omro."

C. MILLER, *Ch'n.*

Said bill was signed by the Speaker.

The committee on the Judiciary, to whom was referred

Bill No. 371, A., a bill for an act to amend chap. 95, of the Revised Statutes, entitled "of the rights of married women;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Bill No. 331, a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county;

Have had the same under consideration, and the majority of said committee, Mr. Bouck disagreeing, have instructed me to report the same back to the Assembly, with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend their passage:

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

No. 384, A., a bill to amend section 53, of chapter 140, of the Revised Statutes, entitled "of miscellaneous proceedings in civil actions, and general provisions;"

No. 27, S., a bill to amend section 26, of chapter 189, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings therein."

AMASA COBB, *Ch'n.*

No. 27, S.,

Was ordered to a third reading.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend their passage when so amended:

No. 277, A., a bill for an act to amend chapter 189, of the Revised Statutes, entitled "of appeals, and writs of error, and proceedings thereon;"

No. 368, A., a bill for an act to facilitate the collection of judgments;

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins.

AMASA COBB, *Ch'n.*

Messrs. Bouck and Palmer dissenting as to No. 32, A.

The committee on State Affairs, to whom was referred

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 36, of chapter 165, of the Revised Statutes, entitled "of offences against property;"

Have had the same under consideration and instructed me to report the same back and recommend its passage.

L. J. FARWELL, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed under rule 48:

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

No. 283, A., a bill for an act to equalize the State tax for Brown county;

No. 312, A., a bill for an act for the preservation of game;

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12;

No. 392, A., a bill for an act to appropriate to Louis Gootmann the sum of \$98 86.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bill and find it correctly engrossed:

No. 404, A., a bill for an act to refund penalties paid in certain cases.

M. HOWLAND, *Ch'n.*

The committee on Claims, to whom was referred

Bill No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the Swamp Land Fund;

Have had the same under consideration, and have instructed me to report it back, with the recommendation that it do pass.

S. COLE, *of the Com.*

Said bill was ordered to be engrossed.

On motion of Mr. Elmore,

The rules were suspended, and the bill read a third time and passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Barnum, Bartlett, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Cobb, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hesk, Holton, Horn, Horton, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Lewis, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Phillips, Robertson, Rogers, Schneider, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wescott, Wheeler, Whittlesey, Whiting, Winter, Young and Mr. Speaker—64.

Those who voted in the negative were

Messrs. Beath and Child—2

The committee of conference to whom was referred the disagreeing vote of the two houses, on

No. 89, S., "an act for the relief of Nathan B. Langdon and others;"

Have had the subject under consideration, and unanimously recommend that the bill be amended by striking out "three dollars and fifty cents," wherever it occurs in the bill, and inserting "two dollars and fifty cents."

JOHN BOYD,
B. L. BETTIS,
W. H. BROOKS,
Of the Assembly.
E. L. PHILLIPS,
BEN. FERGUSON,
Of the Senate.

The select committee consisting of the delegation from the city of Milwaukee, to whom was referred,

No. 383, A., a bill to amend the act entitled "an act to incor-

porate the city of Milwaukee, and the several acts amendatory thereof," approved Feb. 20, 1852, and to amend the several acts amendatory thereof;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend the passage thereof as amended.

H. L. PALMER, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you, that the Senate refuses to concur in the report of committee of conference on

No. 89, S., a bill for an act for the relief of Nathan B. Langdon;

And also in passage of

J. Res. No. 24, A., providing for printing of Governor's message of 28th February.

I am further directed to inform you that the Senate has concurred in Assembly amendment to

No. 14, S., a bill for an act to prescribe the duties of the Secretary of State, in certain cases, and to repeal chapter 155, of the General Laws of 1858, entitled "an act providing for the appointing of a Comptroller and prescribing his duties;"

And also in passage of same without amendment.

No. 49, A., a bill for an act concerning mortgages to the State on School lands in the city of Racine;

And has amended and concurred in passage as amended in

No. 35, A., a bill for an act to change the name of Lucy Bell, and to establish her guardianship and heirship.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 116, S., a bill for an act to authorize the Secretary of State to audit the annual appropriation to County Agricultural Societies;

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local laws of 1858, relating to certain State road therein named.

I am also directed to present to you for signature

No. 17, S., a bill for an act to repeal chapter 201 of the General Laws of 1859, entitled "an act to remit certain penalties imposed by section 59, of chapter 26, of the Revised Statutes entitled 'of School and University Lands;'"

No. 87, S., a bill for an act to legalize the proceedings of the district No. 5, of the town of Platteville, Grant county;

And further, to inform you that the Senate has concurred in the passage of

No. 414, A., a bill for an act to postpone the sale of land for unpaid taxes in the county of Richland.

I am further directed to inform you that the Senate has indefinitely postponed

No. 156, A., a bill for an act to amend sec. 16, of chap. 35, of the Revised Statutes, entitled "of excise;"

No. 199, A., a bill for an act to amend sec. 8, of chap. 86, of the Revised Statutes, entitled of alienation by deed, of the proof and recording of conveyances, and the canceling of mortgages;

No. 288, A., a bill for an act to amend sec. 25, of chap. 121, of the Revised Statutes, entitled of the jurisdiction of justices in criminal cases, and of proceedings therein;

Nos. 17 and 87, S.,

Were signed by the Speaker.

On motion of Mr. Bovay,

The Assembly receded from its amendment to

No. 89, S.,

Nos. 116 and 218, S.,

Were read first and second times.

No. 116, S.,

Was referred to committee on Claims.

No. 218, S.,

Was placed on the general file.

Mr. Child presented a resolution granting the use of the Assembly chamber to Rev. Mr. Callendar on Sunday afternoon, for a lecture on the colonization of free colored people;

And asked unanimous consent for the reception and consideration thereof.

Objection being made,

Mr. Child asked a suspension of the rules for the consideration of the resolution;

The ayes and noes being called, and ordered upon that motion,

The Assembly refused to suspend the rules by the following vote:

Those who voted in the affirmative were:

Messrs. Bovay, Child, Cobb, Dickson, Goodwin, Horton, Moore, Spottswood, Sutton, Upson, Wescott, Wheeler, Whittlesey, Whiting, Winter and Mr. Speaker—16.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Barnum, Bartlett, Beath, Blackman, Bouck, Bow, Bugh, Burt, Dockry, Elmore, Fairchild, Farwell, Golden, Green, Griffin, Griswold, Grover, Har-

tung, Horn, Humann, Hunkins, Jackson, Johnson, Keogh, Keifer, McMichael, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Schmidtner, Simpson, and Townsend;
—38.

On leave,

Mr. Judd presented:

Res. No. 102, A.,

Resolved, That one thousand and three hundred extra copies of the appendix to the journal of the house of the 28th of Feb. last be furnished by the State Printer—one thousand for the use of this house, and three hundred for the Governor.

The rules were suspended, and

The resolution adopted.

On leave,

Mr. Goodwin presented:

Res. No. 103, A.,

Resolved, That the Secretary of State be, and he is hereby required to furnish to and for the use of the R. R. Committee of this house, certified copies of the papers on file in his office, relating to the consolidation of the Wisconsin and Superior, and the Chicago, St. Paul and Fond du Lac Railroads.

The rules having been suspended,

Mr. Elmore presented the following amendment;

Strike out the word "required," and insert "requested;"

Which was lost.

The resolution was then adopted.

BILLS ON THEIR THIRD READING.

No. 148, S., a bill for an act to amend section 1, of chapter 51, of the Private and Local Laws of 1858, entitled, "an act to authorize school district No. 5, in the town of Platteville, in Grant county to borrow money;"

No. 156, S., a bill for an act to amend sections 8 and 16, of chapter 340, of the Private and Local Laws of 1856, entitled "an act to incorporate the Arena and Dubuque Railroad company;"

And,

No. 166, S., an act to amend section 52, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

Were read a third time and concurred in.

BILLS READY FOR A THIRD READING.

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

And

No. 283, A., a bill for an act to equalize the State tax for Brown county;

Were read a third time and passed.

No. 312, A., a bill for an act for the preservation of game;
Was lost.

Messrs. Blackman, Kingsbury and Palmer were granted leave of absence until Monday next.

Mr. Horn moved to adjourn;

Which was disagreed to.

Mr. Bartlett moved that the Assembly resolve itself into the Committee of the Whole;

Which was disagreed to.

On motion of Mr. Bovay,

The Assembly adjourned until 3 o'clock, P. M. on Monday.

MONDAY, MARCH 5, 3 o'clock, P. M.

The Assembly met.

The Speaker in the chair.

The journal of Saturday had not been received from the printer.

The Speaker presented a communication from the Secretary of State, in accordance with Res. No. 108, A., which was referred to the committee on Railroads.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

To the Honorable, the Assembly of the State of Wisconsin:

In reply to your communication of March 1st, referring to me resolution No. 63, A., inquiring which of the counties, of Shawano or Waupaca, is entitled to town 25, range 15, I have the honor to say:

The Legislature of this State, by "an act to incorporate the county of Waupaca," approved February 17th, 1851, created that county with an area of very nearly seven hundred and fifty-six square miles. It embraced that part of town 25, range 15,

that lies west of the channel of Wolf River, and about four sections of town 25, range 16.

Section 7, of article 13, of the Constitution, provides that "no county with an area of nine hundred square miles, or less, shall be divided or have any part stricken therefrom, without submitting the question to a vote of the people of the county."

The Legislature by an act entitled "an act to incorporate the county of Shawano," approved February 16th, 1853, created that county, and within its boundaries included town 25, range 15, and the sections before named from town 25, range 16, thus taking from Waupaca county a portion of its territory and annexing it to Shawano.

Neither this last named, nor any other act of the Legislature submitted the dismemberment of Waupaca county to a vote of the people of that county. The act then, so far as it sought to effect the territorial limits of Waupaca county, was unconstitutional and void. All that part of town 25, range 15, that lies west of the channel of Wolf river, now belongs to Waupaca county. To what county do the sections lying east of the channel of Wolf river, in that town, belong?

The county of Shawano, as its boundaries were fixed by the Revised Statutes, contained very nearly 1,116 square miles of territory. Of course it was divisible by the Legislature, without the consent of the people of the county.

The Legislature, by an act entitled "an act to amend chapter 2, of the Revised Statutes," approved February 3, A. D. 1859, altered the boundaries of Waupaca county, by making its eastern boundary the range line between ranges 15 and 16 east, instead of the channel of Wolf river. This new line takes all that part of town 25, range 15, lying between the channel of that river and the above named range line, from Shawano county and annexes it to Waupaca. This, we have seen, the Legislature had power to do.

Therefore, I conclude that the whole of town 25, range 15, belongs to Waupaca county.

JAMES H. HOWE, *Att'y Gen.*

By Mr. Cole:

Mem. No. 287, A., of J. H. Leitch and 28 others, citizens of the town of Wiota, in Lafayette county, praying for a tax on dogs;

To Select committee under Res. No. 22, A.

By Mr. VanderCook:

Mem. No. 288, A., of Wm. Teal, N. S. Turner, and 74 others, of Ozaukee county, asking the reduction of the salary of circuit judge, to fifteen hundred dollars;

To committee on State Affairs.

By Mr. Blackman:

Mem. No. 289, A., remonstrance against the passage of bill No. 224, A., in relation to joint school district in Dane county;
To the Dane county delegation with No. 224, A.

RESOLUTIONS INTRODUCED.

By Mr. Ahlhauser:

Res. No. 104, A.,

Whereas, An investigation has been had in the affairs of the Milwaukee and Superior Railroad company, by the Legislature in the year 1858, be it therefore,

Resolved, That a select committee, consisting of three of the members of this House, be appointed to investigate this matter, and report to this house in as early a day as possible, whether any measures were adopted, or any bill framed for the purpose of giving relief to the persons who have mortgaged their farms, in aid for constructing said railroad.

Resolved, If no bill has been framed in the investigation as aforesaid, to giving relief to such persons, then the committee is hereby instructed to frame a bill or measure, if possible, to relieve such persons from their mortgages;

Which lies over.

RESOLUTION CONSIDERED.

J. Res. No. 25, A.,

Relative to a final adjournment, introduced by Mr. Weage, on the 2d inst,

Was postponed until Thursday next.

Res. No. 99, A.,

Making the hour of commencement of daily sessions 9 o'clock, A. M.:

Introduced by Mr. Judd, on the 1st inst,

Was adopted.

BILLS, &c.

Introduced on leave granted, read first and second times, and referred.

By Mr. Patchin:

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society, for the year 1856;

To committee on Claims.

By Mr. Smith:

No. 441, A., a bill for an act to extend the time of collection of taxes in the city of Watertown;

To committee on the Judiciary.

By Mr. Bouck :

No. 442, A., a bill for an act to amend chapter 138, of the Revised Statutes, entitled "of the limitations of actions;"

To committee on the Judiciary.

By Mr. Horn:

No. 443, A., a bill for an act to incorporate the Mequon Farmer's Mutual Insurance Company;

To committee on Incorporations.

By Mr. Bartlett:

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

To committee on Incorporations.

By Mr. Neville:

No. 445, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Oconto county;

To committee on Incorporations.

By Mr. Cole:

No. 446, A., a bill for an act for the protection of orchards and fruit trees;

To committee on Agriculture.

REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred Assembly bill

No. 437,

Have had the same under consideration, and have directed me to report the same back to the Assembly, with the recommendation that the same do pass.

L. J. FARWELL, *Ch'n.*

A majority of the select committee consisting of the delegation from Columbia county, to whom was referred

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled an act conferring jurisdiction on the county court of Columbia county;

Have had the same under consideration, and herewith report them back, with a recommendation that the said bill do pass.

WM. GRISWOLD,
MARCUS BARDEN.

The committee on Banks and Banking, to whom was referred

No. 60, S., a bill for an act to authorize the Citizens' Bank, Oshkosh, to remove to Black River Falls, Jackson county;

Have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

WM. GRISWOLD, *Ch'n.*

BILLS ON THIRD READING.

No. 27, S., a bill to amend section 26, of chapter 140, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings there in;"

Was read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 319, A., a bill for an act authorizing the Superintendent of Public Property, to purchase the Governors message in foreign languages, and for an appropriation of money for the payment therefor;

The ayes and noes were required,

And the bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Barden, Bartlett, Blackman, Brooks, Burt, Child, Cobb, Dickson, Farwell, Goodwin, Griswold, Hammarquist, Hayden, Horton, Johnson, Judd, McMichael, Mitchell, Moore, Nash, Ordway, Phillips, Rogers, Sumner, Upson, VanderCook, Westby, Westcott, Whittlesey, Whiting, Young and Mr. Speaker—32.

Those voting in the negative, were

Messrs. Ahlhusen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Elmore, Fairchild, Golden, Griffin, Grover, Hartung, Hesk, Horn, Jackson, Kiefer, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Simpson, Sutton, Townsend and Winter—27.

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Barden, Barnum, Bartlett, Blackman, Bow, Brooks, Burt, Child, Cobb, Cole, Coles, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Horn, Horton, Humann, Johnson, Judd, Keogh, McMichael, Meigs, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Rogers, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Westby, Westcott, Whittlesey, Whiting, Young and Mr. Speaker—55.

Those who voted in the negative were

Messrs. Bouck, Elmore, Mulholland and Neville—4.

No. 392, A., a bill for an act to appropriate to Louis Gootman the sum of \$98 86;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Barden, Barnum, Bartlett, Blackman, Bow, Brooks, Burt, Child, Cobb, Cole, Coles, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Horn, Horton, Humann, Johnson, Judd, Keogh, McMichael, Meigs, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Rogers, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Westby, Wescott, Whittlesey, Whiting, Young and Mr. Speaker—55.

Those who voted in the negative were

Messrs. Bouch, Elmore, Mulholland and Neville—4.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

No. 207, A., a bill for an act to amend section 1, of chapter 60, of the Revised Statutes, entitled "of the rates of toll for grinding;"

And,

No. 315, A., a bill for an act to amend section 3, chapter 190, of the Revised Statutes, entitled "of prisons generally, and common jails;"

Were laid on the table.

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled an act to incorporate the Wisconsin River Hydraulic Company,"

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin River;"

And,

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1856, entitled "an act to amend chapter 330, of the Private and Local Laws of 1855;"

Were returned to the general file.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in passage of

No. 65, A., a bill for an act to repeal chapter 168, of the

General Laws of 1859, entitled "an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location, construction and operation of its line of road in this State;"

No. 177, A., a bill for an act to amend section 8, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county;"

No. 200, A., a bill for an act to repeal an act entitled an act to amend chapter 59, of the Local Laws of 1855, entitled an act to incorporate the Beloit Gas Light and Coke company;

No. 233, A., a bill for an act providing for additional terms of the circuit court for the county of Racine;

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner & Bruno, the sum of \$650;

No. 209, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

No. 300, A., a bill for an act to appropriate to George Theis the sum of \$73 75;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the swamp land fund;

M. C. No. 3, A., memorial to the Post Master General of the United States, for reinstatement of weekly mail service on route 13,088, from Bayfield, in La Point county, to Chippewa Falls, in the county of Chippewa.

I am further directed to inform you, that the Senate has passed, and ask the concurrence of the Assembly in

No. 76, S., a bill for an act to amend an act approved March 11th, 1859, entitled "an act to amend an act to incorporate the village of Horicon, approved March 29th, 1855;

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Company," approved March 2d, 1857;

No. 105, S., a bill for an act to amend chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain money to the county of Green Lake;

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's Dictionary for the supply of deficient school districts of the State;

No. 119, S., a bill to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

No. 139, S., a bill for an act relating to the duties of the register of deeds ;

No. 149, S., a bill to amend chap. 35, of the Revised Statutes, entitled "of excise ;

No. 181, S., a bill for an act to amend chap. 22, of the Revised Statutes, entitled "of academies and normal schools ;"

No. 186, S., a bill for an act to provide for equalizing and apportioning State and county taxes among towns, cities and incorporated villages for the year 1860 ;

No. 194, S., an act to incorporate the First Universalist Church of Monroe ;

No. 286, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;"

No. 178, S., a bill for an act to amend an act entitled "an act to amend chap. 299, of the Private and Local Laws of 1855, entitled an act to incorporate the Sugar River Valley Railroad company.

On motion of Mr. Bartlett,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills ;

Mr. Griswold in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank ;

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg Plank Road Company ;

And

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements ;

With amendments.

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock ;

No. 354, A., a bill for an act to amend an act entitled "an act to incorporate the Peshtigo Lumbering and Manufacturing company, approved Oct. 11, 1856, and the amendments thereto ;

No. 280, A., a bill for an act to legalize the assessment of

taxes in the county of La Pointe, and to extend the time of payment thereof;

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire county, to the mouth of Hay river, in Dunn county;

No. 36, S., a bill for an act providing for grand and petit jurors, in this State, and to amend sections 3, 8 and 13, chap. 118, Revised Statutes, entitled "of grand and petit jurors;"

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money, in Brown county.

No. 403, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

No. 175, S., a bill for an act relating to the State tax of the county of Door;

No. 172, S., a bill for an act to incorporate the village of Mauston, in Jeunau county;

No. 169, S., a bill for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;" also, chapter 502, of the Private and Local Laws, of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad," approved Oct., 11, 1896; also chapter 138, of the Private and Local Laws of 1858, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

No. 130, S., a bill for an act to amend an act entitled "an act to incorporate the LaCrosse Hydraulic Company;

No. 125, S., a bill for an act to amend an act entitled "an act to incorporate the city of Prescott;]

No. 99, S. a bill for an act to incorporate the LaCrosse Valley Seminary;

No. 410, A., a bill for an act to appropriate to Seth M. VanBergen the sum of \$765 83;

No. 411, A., a bill for an act to appropriate to Thomas McFarland the sum of \$81 75;

No. 394, A., a bill for an act to authorize the Board of Trustees of the village of Viroqua to levy a tax;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "of arrest and bail;"

And

No. 370, A., a bill for an act to incorporate the Thiensville fire engine company;

Without amendment.

No. 91, A., a bill for an act for the publication of the Session Laws, in two newspapers in each county in the State;

With recommendation of reference to committee on Printing.

No. 373, A., a bill for an act to amend section 159, of chapter 18, of the Revised Statutes, entitled "of assessment and collection of taxes;"

• And

No. 375, A., a bill for an act to amend chapter 130, of the Revised Statutes, entitled "of proceedings against debtors by judgment;"

With recommendation that the enacting clause be stricken out.

No. 6, A., a bill for an act to repeal section 47, of chapter 167, of the General Laws of 1859, entitled "of assessments and collection of taxes;"

No. 68, A., a bill for an act to amend section 10, of chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

No. 107, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

No. 161, A., a bill for an act to amend chapter 167, of General Laws of 1859, entitled "an act to amend chapter 167, of the Revised Statutes, entitled 'of the assessment and collection of taxes;'"

No. 216, A., a bill to amend chapter 167, of General Laws of 1869, entitled "an act to amend chapter 18, of the Revised Statutes, entitled of assessment and collection of taxes;"

And

No. 311, A., a bill for an act for the preservation of fish;

With recommendation of indefinite postponement.

On motion of Mr. Hunkins, the vote by which the Assembly refused to pass

No. 312, A., a bill for an act for the preservation of game;
Was reconsidered.

Mr. Bouck moved to adjourn until 7 P. M.

Which was disagreed to.

On motion of Mr. Rankin,

The Assembly adjourned.

TUESDAY, MARCH 6, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Mitchell,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Young:

Mem. No. 290, A., remonstrance of W. Butterfield and 25 other citizens of Sauk county, against the repeal of an act entitled "an act to lay out a State road from Portage City to Prairie du Sac," approved March 19, 1859;

To committee on Roads, Bridges and Ferries.

By Mr. Phillips:

Mem. No. 291, A., remonstrance of Charles Shuter and others, against chartering the village of Wausau;

To committee on Incorporations.

RESOLUTIONS CONSIDERED.

Res. No. 104, A.;

Providing for a select committee to devise means of relief for farm mortgagors to the Milwaukee and Superior Railroad Company;

Introduced by Mr. Ahlhauser, yesterday.

Mr. Palmer moved to amend said resolution by inserting the word "and" after the word "Milwaukee," where it first occurs in the second line of said resolution;

Which was agreed to,

And the resolution as amended, was adopted.

The Speaker appointed, as said committee, Messrs. Ahlhauser, Goodwin and Sumner.

On motion of Mr. Bouck,

The rules were suspended, and

No. 417, A., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases;

Was taken from the general file.

Mr. Munn moved to amend the amendment, proposed by the committee on Education, as follows :

Strike out the word "April" and insert "June;"

Which was disagreed to by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Bow, Boyd, Bugh, Cobb, Elmore, Fairchild, Farwell, Goodwin, Green, Grover, Hesk, Horn, Howland, Hunkins, Keogh, Kingsbury, Mackay, Munn, Nash, Neville, Phillips, Rankin, Robertson, Ruan, Sutton, Townsend, VanderCook, Young and Mr. Speaker—34.

Those who voted in the negative were

Messrs. Barden, Barnum, Beath, Blackman, Bouck, Brooks, Child, Cole, Coles, DeWolf, Dickson, Dockry, Golden, Griffin, Griswold, Hammarquist, Hartung, Hayden, Holton, Horton, Humann, Jackson, Johnson, Judd, Kiefer, Langland, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Ordway, Patchin, Rogers, Schmidtner, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Wescott, Wheeler, Whiting and Winter—47.

Mr. Bartlett moved to amend the amendment by striking out the word "April," and insert the word "May."

Mr. Griswold, moved the previous question;

Which was seconded, and

The question being, "shall the main question be now put?"

The previous question was ordered.

The question occurring on Mr. Bartlett's amendment,

It was lost, and

The question being on adopting the amendment proffered by the committee on Education,

It was agreed to, and

No. 417, A.,

Was read a third time and passed.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bachuber, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bow, Brooks, Bugh, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Holton, Horn, Horton, Hunkins, Jackson, Judd, Keogh, Kingsbury, Langland, Mackay, McMichael, Meigs, Miller, Mitchell, Mulholland, Munn, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmidtner, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wheeler, Whittlesey, Whiting, Winter, Young, and Mr. Speaker—70.

Those who voted in the negative were

Messrs. Altenhofen, Boyd, Elmore, Hesk, Howland, Humann, Keifer, Moore, Neville, Ruan, Spottswood and Wescott—12.

Mr. Bartlett moved to reconsider the vote by which

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Rev. Stat., entitled "of prisons generally and common jails,"

Was laid on the table;

Which was agreed to.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Patchin:

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

To committee on Town and County Organization.

By Mr. Bartlett:

No. 448, A., a bill for an act to declare certain roads in the town of Spring Brook to be lawful highways;

To committee on Judiciary.

By Mr. Robertson:

No. 449, A., a bill for an act to amend "an act to fix the time for holding circuit court in Waukesha county;"

To Waukesha delegation.

By Mr. Griswold:

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

To committee on Claims.

By Mr. Goodwin:

No. 451, A., a bill for an act the execute the trust created by an act of Congress, entitled "an act granting public lands to the State Wisconsin to aid in the construction of railroads in said State," approved June 3d, 1856, by incorporating the Winnebago and Superior Railroad Company, and granting a portion of said lands thereto;

To committee on Railroads.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 328, A., a bill for an act to amend chapter 151, of the

General Laws of 1859, entitled "an act relating to the proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes;"

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls.

M. HOWLAND, *Ch'n.*

The committee on Banks and Banking, to whom was referred

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital and remove its place of business;

Have had the same under consideration, and herewith report the same back, with amendments, and recommend the adoption of the amendments, and the passage of the bill when so amended.

WM. M. GRISWOLD, *Ch'n.*

The select committee to whom was referred bill

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge to retain license money in their town, city and village treasuries;

Report the same back with amendments and recommend the passage of the same.

H. C. GRIFFIN, *Ch'n.*

Dane county delegation to whom was referred bill

No. 224, for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

Have had the same under consideration, and I am instructed to report the same back to the House with a recommendation that it do pass.

JOHN BEATH, *Ch'n.*

The select committee consisting of the delegations from Dodge and Jefferson, to whom was referred

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

Have had the same under consideration and report the same back and recommend that same do pass.

H. H. WINTER, *Ch'n.*

The joint committee on Enrolled Bills report that they, on the 6th inst., presented to the Governor, for his approval, the following bills:

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled an act to incorporate the city of Buffalo;

No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled of joint stock companies;

No. 386, A., a bill for an act to extend the time for the collection of taxes in the city of Portage;

No. 153, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled an act to incorporate the La Pointe Iron Company, approved March 5th, 1859;

No. 179, A., a bill for an act to amend chapter 132, of the Private and Local Laws of 1859, entitled an act to amend an act entitled an act to incorporate the city of Beaver Dam;

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said town.

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 177, A., bill for an act to amend section 3, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner and Bruno, the sum of \$650.

No. 200, A., a bill for an act to repeal an act entitled "an act to incorporate the Beloit Gas Light and Coke Company;

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location construction and operation of its line of road in this State;

No. 414, A., a bill for an act to postpone the sale of land for unpaid taxes in the county of Richland;

And

No. 49, A., a bill for an act concerning mortgages to the State, on school lands in the city of Racine.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills, report that on the 2d March inst., they presented to the Governor for his approval the following bills, viz :

No. 137, S., a bill for an act to authorize the commissioners of school and university lands to assign a certain mortgage;

No. 126, S., a bill for an act to authorize the Northern Bank to reduce its capital;

No. 118, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 121, S., a bill for an act to authorize the Lumberman's Bank to reduce its capital stock;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of the Revised Statutes, entitled "of forgery and counterfeiting;"

No. 122, S., a bill for an act to authorize the Bank of Monoka to reduce its capital;

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859;

No. 89, S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock;

No. 88, S., a bill for an act to authorize the issuing of patents to deceased persons in certain cases.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assem. Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., chief clerk thereof:

Mr. SPEAKER:

I am directed to present to you for signature

No. 14, S., an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chap. 155, of the General Laws of 1858, entitled "an act providing for the appointment of a Comptroller and prescribing his duties.

I am further directed to inform you that the Senate has indefinitely postponed

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county.

No. 64, A., a bill for an act concerning the change of venue in criminal cases in courts of justice of the peace.

No. 255, A., a bill for an act to amend sec. 5, chap. 181, of the Revised Statutes, entitled "of judgments in criminal cases and the execution thereof."

I am further directed to return to the Assembly for correction,

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

And further to inform you that the Senate has concurred in passage of

No. 306, A., a bill for an act for the relief of Sheboygan county;

No. 436, A., a bill for an act to amend chapter 131, of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Mineral Point;"

Also,

That the Senate has passed, and asks the concurrence of the Assembly in

J. Res. No. 16, S.,

Relating to State Historical Society,

And has appointed Senators Stewart and Egan committee on part of Senate.

No. 242, S., a bill for an act concerning testimony and investigation.

No. 14, S.,

Was signed by the Speaker.

BILLS AND RESOLUTIONS FROM THE SENATE

On their first and second reading.

The following bills were read first and second times and referred:

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's dictionary, for the supply of deficient school districts of the State;

And

No. 181, S., a bill for an act to amend chapter 22, of Revised Statutes, entitled "of academies and normal schools;"

Were referred to the committee on Education.

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake;

To the committee on Claims.

No. 186, S., a bill for an act to provide for equalizing and apportioning State and county taxes among towns, cities and incorporated villages, for the year 1860;

To the committee on Ways and Means.

No. 76, S., a bill for an act to amend an act, approved March 11, 1859, entitled "an act to amend act to incorporate the village of Horicon, approved March 29, 1855;"

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Company," approved March 2, 1857.

No. 105, S., a bill for an act to amend chap. 52, of the General Laws of 1859, entitled "an act relating to the Dane county court."

No. 119, S., a bill to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce.

No. 139, S., a bill for an act relating to the duties of register of deeds.

No. 149, S., a bill to amend chap. 35, of the Revised Statutes, entitled "of excise."

No. 178, S., a bill to amend an act entitled "an act to amend chap. 299, of the Private and Local Laws for the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Co.'"

No. 194, S., an act to incorporate the First Universalist Church of Monroe.

And

No. 236, S., a bill for an act to amend chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

Were placed on the general file.

READY FOR A THIRD READING.

No. 312, A., a bill for an act for the preservation of game.
Was read a third time and passed, and the title agreed to.

BILLS REPORTED BY COM. OF THE WHOLE.

No. 86, S., a bill providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, chapter 118, Revised Statutes, entitled "of grand and petit jurors."

Was postponed and made special order for next Tuesday at 11 o'clock.

No. 99, S., a bill for an act to incorporate the La Crosse Valley Seminary;

Was referred to the committee on Incorporations, with instructions to report a general Law.

No. 125, S., a bill for an act to amend an act entitled "an act to incorporate the city of Prescott;"

No. 130, S., a bill to amend an act entitled "an act to incorporate the La Crosse Hydraulic Co;"

No. 169, S., a bill for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad; also chap. 502, of the Private and Local Laws of 1856, entitled an act to authorize the city of Oshkosh to aid in the construction of a railroad, approved Oct. 11, 1856; also chapter 138, of the Private and Local Laws of 1858, entitled, an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

No. 172, S., a bill for an act to incorporate the village of Mauston, in Juneau county;

And

No. 175, S., a bill for an act relating to the State tax of the county of Door;

Were ordered to a third reading.

No. 6, A., a bill for an act to repeal section 37, of chapter 168, of the General Laws of 1859, entitled "of the assessment and collection of taxes;"

Was indefinitely postponed.

The speaker directed the roll to be called, to ascertain if a quorum was present.

The following named gentlemen answered to their names:

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Beath, Bouck, Bow, Boyd, Brooks, Bovay, Bugh, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtnr, Simpson, Spottswood, Sumner, Sutton, Townsend, Upson, Westby, Westcott, Wheeler, Whittlesy, Whiting, Wiley, Winter, Young and Mr. Speaker—76.

The hour having arrived for the consideration of

THE SPECIAL ORDER,

Being

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes;"

And

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes, and the acts amendatory thereto;

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On No. 11, S., and No. 412, A.

Mr. Goodwin in the chair;

After some time spent therein the committee rose, and by their chairman reported that they had had under consideration

No. 11, S., and No. 412, A.,

Had made progress therein and asked leave to sit again;

Leave was granted.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

And

No. 404, A., a bill for an act to refund penalties in certain cases;

Also, that the Senate has passed and asks the concurrence of the Assembly in

No. 193, S., a bill for an act to amend chapter 30, of the Private and Local Laws of Wisconsin, for the year 1859, entitled an act to amend an act to incorporate the village of Waukesha.

Mr. Bartlett moved to adjourn,

Which was not agreed to.

On motion of Mr. Miller,

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1;

Was referred to the committee on Education.

The committee on Enrolled Bills report that they have compared and examined the following bills, and find the same correctly enrolled:

No. 299, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county;

No. 300, A., a bill for an act to appropriate to George Theis the sum of \$73 75;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the swamp land fund.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

Mr. Ordway moved to adjourn until 7 P. M.

On motion of Mr. Bartlett,

The Assembly adjourned.

Messrs. Altenhofen, Boyd, Elmore, Hesk, Howland, Humann, Keifer, Moore, Neville, Ruan, Spottswood and Wescott—12.

Mr. Bartlett moved to reconsider the vote by which

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Rev. Stat., entitled "of prisons generally and common jails,"

Was laid on the table;

Which was agreed to.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Patchin:

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

To committee on Town and County Organization.

By Mr. Bartlett:

No. 448, A., a bill for an act to declare certain roads in the town of Spring Brook to be lawful highways;

To committee on Judiciary.

By Mr. Robertson:

No. 449, A., a bill for an act to amend "an act to fix the time for holding circuit court in Waukesha county;"

To Waukesha delegation.

By Mr. Griswold:

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

To committee on Claims.

By Mr. Goodwin:

No. 451, A., a bill for an act the execute the trust created by an act of Congress, entitled "an act granting public lands to the State Wisconsin to aid in the construction of railroads in said State," approved June 3d, 1856, by incorporating the Winnebago and Superior Railroad Company, and granting a portion of said lands thereto;

To committee on Railroads.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 328, A., a bill for an act to amend chapter 151, of the

General Laws of 1859, entitled "an act relating to the proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes;"

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls.

M. HOWLAND, *Ch'n.*

The committee on Banks and Banking, to whom was referred

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital and remove its place of business;

Have had the same under consideration, and herewith report the same back, with amendments, and recommend the adoption of the amendments, and the passage of the bill when so amended.

WM. M. GRISWOLD, *Ch'n.*

The select committee to whom was referred bill

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge to retain license money in their town, city and village treasuries;

Report the same back with amendments and recommend the passage of the same.

H. C. GRIFFIN, *Ch'n.*

Dane county delegation to whom was referred bill

No. 224, for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

Have had the same under consideration, and I am instructed to report the same back to the House with a recommendation that it do pass.

JOHN BEATH, *Ch'n.*

The select committee consisting of the delegations from Dodge and Jefferson, to whom was referred

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

Have had the same under consideration and report the same back and recommend that same do pass.

H. H. WINTER, *Ch'n.*

The joint committee on Enrolled Bills report that they, on the 6th inst., presented to the Governor, for his approval, the following bills:

No. 260, A., a bill for an act to detach certain territory now included in school district of the city of Beaver Dam and to attach the same to school district No. 5, of the town of Beaver Dam, in Dodge county;

No. 195, A., a bill for an act to amend chapter 197, of the Private and Local Laws of 1859, entitled an act to incorporate the city of Buffalo;

No. 70, A., a bill for an act to amend chapter 73, of the Revised Statutes, entitled of joint stock companies;

No. 386, A., a bill for an act to extend the time for the collection of taxes in the city of Portage;

No. 153, A., a bill for an act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled an act to incorporate the La Pointe Iron Company, approved March 5th, 1859;

No. 179, A., a bill for an act to amend chapter 132, of the Private and Local Laws of 1859, entitled an act to amend an act entitled an act to incorporate the city of Beaver Dam;

No. 109, A., a bill for an act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said town.

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 177, A., bill for an act to amend section 3, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

No. 276, A., a bill for an act to appropriate to S. B. Scott, assignee of Berliner and Bruno, the sum of \$650.

No. 200, A., a bill for an act to repeal an act entitled "an act to incorporate the Beloit Gas Light and Coke Company;

No. 65, A., a bill for an act to repeal chapter 168, of the General Laws of 1859, entitled an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location construction and operation of its line of road in this State;

No. 414, A., a bill for an act to postpone the sale of land for unpaid taxes in the county of Richland;

And

No. 49, A., a bill for an act concerning mortgages to the State, on school lands in the city of Racine.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills, report that on the 2d March inst., they presented to the Governor for his approval the following bills, viz :

No. 137, S., a bill for an act to authorize the commissioners of school and university lands to assign a certain mortgage;

No. 126, S., a bill for an act to authorize the Northern Bank to reduce its capital;

No. 118, S., a bill for an act to authorize the Bank of Columbus to reduce its capital stock;

No. 121, S., a bill for an act to authorize the Lumberman's Bank to reduce its capital stock;

No. 107, S., a bill for an act to amend section 1, of chapter 166, of the Revised Statutes, entitled "of forgery and counterfeiting;"

No. 122, S., a bill for an act to authorize the Bank of Monoka to reduce its capital;

No. 48, S., a bill for an act to amend an act entitled "an act to prevent the sale of unripe cranberries," approved March 17, 1859;

No. 89, S., a bill for an act to extend the time for the collection of taxes in the town of Union, in the county of Rock;

No. 88, S., a bill for an act to authorize the issuing of patents to deceased persons in certain cases.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assem. Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., chief clerk thereof:

Mr. SPEAKER:

I am directed to present to you for signature

No. 14, S., an act to prescribe the duties of the Secretary of State in certain cases, and to repeal chap. 155, of the General Laws of 1858, entitled "an act providing for the appointment of a Comptroller and prescribing his duties.

I am further directed to inform you that the Senate has indefinitely postponed

No. 86, A., a bill for an act to authorize the laying out of a State road from Viroqua to Victory, in Bad Ax county.

No. 64, A., a bill for an act concerning the change of venue in criminal cases in courts of justice of the peace.

No. 255, A., a bill for an act to amend sec. 5, chap. 181, of the Revised Statutes, entitled "of judgments in criminal cases and the execution thereof."

I am further directed to return to the Assembly for correction,

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

And further to inform you that the Senate has concurred in passage of

No. 306, A., a bill for an act for the relief of Sheboygan county;

No. 436, A., a bill for an act to amend chapter 131, of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Mineral Point;"

Also,

That the Senate has passed, and asks the concurrence of the Assembly in

J. Res. No. 16, S.,

Relating to State Historical Society,

And has appointed Senators Stewart and Egan committee on part of Senate.

No. 242, S., a bill for an act concerning testimony and investigation.

No. 14, S.,

Was signed by the Speaker.

BILLS AND RESOLUTIONS FROM THE SENATE

On their first and second reading.

The following bills were read first and second times and referred:

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's dictionary, for the supply of deficient school districts of the State;

And

No. 131, S., a bill for an act to amend chapter 22, of Revised Statutes, entitled "of academies and normal schools;"

Were referred to the committee on Education.

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake;

To the committee on Claims.

No. 186, S., a bill for an act to provide for equalizing and apportioning State and county taxes among towns, cities and incorporated villages, for the year 1860;

To the committee on Ways and Means.

No. 76, S., a bill for an act to amend an act, approved March 11, 1859, entitled "an act to amend act to incorporate the village of Horicon, approved March 29, 1855;"

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Company," approved March 2, 1857.

No. 105, S., a bill for an act to amend chap. 52, of the General Laws of 1859, entitled "an act relating to the Dane county court."

No. 119, S., a bill to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce.

No. 139, S., a bill for an act relating to the duties of register of deeds.

No. 149, S., a bill to amend chap. 35, of the Revised Statutes, entitled "of excise."

No. 178, S., a bill to amend an act entitled "an act to amend chap. 299, of the Private and Local Laws for the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Co.'"

No. 194, S., an act to incorporate the First Universalist Church of Monroe.

And

No. 236, S., a bill for an act to amend chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

Were placed on the general file.

READY FOR A THIRD READING.

No. 312, A., a bill for an act for the preservation of game. Was read a third time and passed, and the title agreed to.

BILLS REPORTED BY COM. OF THE WHOLE.

No. 36, S., a bill providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, chapter 118, Revised Statutes, entitled "of grand and petit jurors."

Was postponed and made special order for next Tuesday at 11 o'clock.

No. 99, S., a bill for an act to incorporate the La Crosse Valley Seminary;

Was referred to the committee on Incorporations, with instructions to report a general Law.

No. 125, S., a bill for an act to amend an act entitled "an act to incorporate the city of Prescott;"

No. 130, S., a bill to amend an act entitled "an act to incorporate the La Crosse Hydraulic Co;"

No. 169, S., a bill for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad; also chap. 502, of the Private and Local Laws of 1856, entitled an act to authorize the city of Oshkosh to aid in the construction of a railroad, approved Oct. 11, 1856; also chapter 138, of the Private and Local Laws of 1858, entitled, an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

No. 172, S., a bill for an act to incorporate the village of Mauston, in Juneau county;

And

No. 175, S., a bill for an act relating to the State tax of the county of Door;

Were ordered to a third reading.

No. 6, A., a bill for an act to repeal section 37, of chapter 168, of the General Laws of 1859, entitled "of the assessment and collection of taxes;"

Was indefinitely postponed.

The speaker directed the roll to be called, to ascertain if a quorum was present.

The following named gentlemen answered to their names:

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Beath, Bouck, Bow, Boyd, Brooks, Bovay, Bugh, Child, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtnr, Simpson, Spottswood, Sumner, Sutton, Townsend, Upson, Westby, Westcott, Wheeler, Whittlesy, Whiting, Wiley, Winter, Young and Mr. Speaker—76.

The hour having arrived for the consideration of

THE SPECIAL ORDER,

Being

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes;"

And

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes, and the acts amendatory thereto;

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On No. 11, S., and No. 412, A.

Mr. Goodwin in the chair;

After some time spent therein the committee rose, and by their chairman reported that they had had under consideration

No. 11, S., and No. 412, A.,

Had made progress therein and asked leave to sit again;

Leave was granted.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

And

No. 404, A., a bill for an act to refund penalties in certain cases;

Also, that the Senate has passed and asks the concurrence of the Assembly in

No. 193, S., a bill for an act to amend chapter 30, of the Private and Local Laws of Wisconsin, for the year 1859, entitled an act to amend an act to incorporate the village of Waukesha.

Mr. Bartlett moved to adjourn,

Which was not agreed to.

On motion of Mr. Miller,

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1;

Was referred to the committee on Education.

The committee on Enrolled Bills report that they have compared and examined the following bills, and find the same correctly enrolled:

No. 299, A., a bill for an act to appropriate to Andrew Bishop the sum of \$52;

No. 192, A., a bill for an act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county;

No. 300, A., a bill for an act to appropriate to George Theis the sum of \$73 75;

No. 309, A., a bill for an act to appropriate to Amasa Cobb the sum of \$66 88;

No. 409, A., a bill for an act to provide for the payment of certain outstanding indebtedness against the swamp land fund.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

Mr. Ordway moved to adjourn until 7 P. M.

On motion of Mr. Bartlett,

The Assembly adjourned.

WEDNESDAY, MARCH 7, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Child,

The reading of the journal of yesterday was dispensed with.

The Speaker stated to the Assembly that he had received a communication informing him of the death of Rev. Mr. Peck, one of the chaplains of the Assembly.

Messrs. Burt and Fischer were granted leave of absence for an indefinite time, on account of sickness in their families.

Mr. Burt was granted leave of absence for one day, and

Mr. Whittlesey for two days.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bouck:

Mem. 292, A., for legalizing State road;

To committee on Roads, Bridges and Ferries, with bill No. 460, A.

RESOLUTIONS INTRODUCED.

By Mr. Bouck:

Res. No. 105, A.,

Resolved, That the Justices of the Supreme Court are respectfully requested to inform the Assembly up to what time the decisions of the Supreme Court are reported and published in full, what number of volumes of reports the decisions not yet published will make; whether there is any unnecessary delay in the publication of the decisions of the Supreme Court, if there is, whether any additional legislation is necessary to prevent such delay;

Which lies over.

By Mr. Humann:

Res. No. 106, A.,

Resolved, That the Attorney General be, and he is hereby requested to give his legal opinion to the Assembly, whether the Legislature can legally donate any swamp and overflowed lands to actual settlers, or otherwise for the construction of highways;

On motion of Mr. Humann,

The rules were suspended, and
The resolution adopted.

By Mr. Bartlett:

Res. No. 108, A.;

Resolved, That the Superintendent of Public Property furnish each member of the Assembly with postage stamps, to the amount of three dollars; two dollars of said amount to be in one cent, and one dollar in three cent stamps;

Which lies over.

By Mr. Alden:

Res. No. 107, A.;

Resolved, That the Superintendent of Public Property, be, and hereby is directed to furnish each member of the Assembly with six dollars worth of postage stamps; two dollars thereof in three cent and four dollars thereof in one cent stamps;

Which lies over.

By Mr. Sutton:

Res. No. 109, A.,

Resolved, That the Judiciary committee be requested to prepare a bill for an act for the purpose of holding biennial sessions of the Legislature, and for the purpose of repealing section 11, article 4, of the Constitution of the State, it is necessary to submit the same to the people at the next election.

Be it further resolved, That the Judiciary committee take immediate steps for the purpose of carrying out this object;

Which lies over.

By Mr. Bartlett :

Res. No. 110, A.,

Resolved, That the Secretary of State be requested to furnish the Judiciary committee of the Assembly with such books and papers as they may need and desire as such committee;

On motion of Mr. Bartlett,

The rules were suspended for the purpose of considering said resolution.

On motion of Mr. Palmer,

Said resolution was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. Kingsbury:

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

To committee on the Judiciary.

By Mr. Bartlett:

No. 453, A., a bill for an act authorizing the construction and maintenance of a boom in Half Moon Lake;

To committee on Roads, Bridges and Ferries.

By Mr. Baldwin:

No. 454, A., a bill for an act to incorporate the La Crosse Savings and Improvement Company;

To committee on Banks and Banking.

By Mr. Green:

No. 455, A., a bill for an act to change the name of Sarah McCabe to Sarah Kate Graves;

To committee on Town and County Organization.

By Mr. Robertson:

No. 456, A., a bill for an act to authorize commissioners to vacate a certain territorial road in the county of Waukesha;

To committee of the Whole.

By Mr. Bettis:

No. 457, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;

To committee composed of the Fond du Lac and Dodge county delegations.

By Mr. Dockry:

No. 458, A., a bill for an act to provide for the payment of insurance money on homesteads;

To committee on the Judiciary.

By Mr. Palmer:

No. 459, A., a bill for an act to amend section 37, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial, and judgments in civil actions;

To committee on the Judiciary.

By Mr. Bouck:

No. 460, A., a bill for an act to legalize a State road therein named;

To committee on Roads, Bridges and Ferries.

By Mr. Hayden:

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

To committee composed of the Milwaukee delegation.

By Mr. Ahlhauser:

No. 462, A., a bill for an act to authorize the town clerk of the town of Port Washington to convey real estate;

To committee on the Judiciary.

On motion of Mr. Kingsbury,
The rules were suspended, and
No. 429, A., a bill for an act to amend an act to incorporate
the city of Sheboygan, and the several acts amendatory thereof;
Was taken from the general file, and
Referred to the committee on the Judiciary.
On motion of Mr. Dockry,
The rules were suspended, and
No. 47, A., a bill for an act to amend section 1, of chapter
60, of the Revised Statutes, entitled "of the rates of toll for
grinding;"
Was taken from the table, and
Placed on the general file.
On motion of Mr. Fairchild,
The rules were suspended, and
No. 236, S., a bill for an act to amend chapter 22, of the
General Laws of 1859, entitled "an act relating to the sale of
lands for unpaid taxes, and the conveyance and redemption
thereof;"
Was taken from the general file, and
Read a third time.
The question occurring on its passage;
It was lost.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled:

Mem. No. 3, A., memorial to the Post Master General of the U. S., for re-instatement of weekly mail service on mail route 13,088, from Bayfield, in La Pointe county, to Chippewa Falls, in the county of Chippewa.

No. 238, A., an act providing for additional terms of the circuit court for the county of Racine.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Claims, to whom was referred accounts,
No. 3, A., the account of Hiram A. Stone, for serving Governor's warrants;

No. 5, A., the account of Hiram A. Stone, for serving Governor's warrants;

No. 71, A., the account of Muldoon & Crampton, for iron work done for the State;

Have had the same under consideration and have reported them back by bills,

No. 462, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$12,50;

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton, the sum of \$77,15;

And recommend said bills do pass.

Also, bill

No. 116, S., a bill for an act to authorize the Secretary of State to audit the annual appropriation to county agricultural societies;

And recommend said bill do pass.

Also, bill

No. 440, A., a bill for an act to provide for the payment of money to the Waupacca county Agricultural society, for the year 1856;

Have had the same under consideration, and have amended it by adding an enacting clause, and recommend it do pass as amended.

HEBER SMITH, *Chn.*

Bill Nos. 463* and 464, A.,

Were read twice and referred to the general file.

The committee on Town and County Organization, to whom was referred,

No. 314, A., a bill for an act to amend section 28, of chap. 13, of the Revised Statutes, to confer additional powers on the county board of supervisors;

Have had the same under consideration, and report that they have carefully considered the same, and are of the opinion that the constitution of this State does not authorize the delegation of powers authorized by the conditions of this bill to the county board of supervisors of the counties, by the Legislature, and herewith return the same with the recommendation that it be referred to the Judiciary committee.

J. P. DICKSON, *Ch'n.*

The said bill was referred to the committee on the Judiciary.

The committee on Roads, Bridges, and Ferries, to whom was referred,

Mem. No. 101, A.; petition of G. Baker and 102 others, for a State road from Stevens' Point to Eau Claire;

Have had the same under consideration, and respectfully report the same back to the House, with recommendation that further consideration thereof be indefinitely postponed.

No. 421, A.; a bill for an act to provide for the laying out of a State road from Danforth's mill, in Manitowoc county, to the town of Calumet, in Fond du Lac county;

And

Mem. No's. 278, 279, 280 and 281, A., petitions accompanying the same;

Have been considered, and are respectfully reported back to the House with recommendation that said bill No. 421 A.; do pass.

Mem. No. 226, A., petition for a State road, from sections 14 and 15, town 22, range 21, to the city of Green Bay

Has been considered, and the committee report by

No. 465, A., a bill for an act to provide for laying out a State road, from sections 14 and 15, town 22, range 21, to the city of Green Bay;

And recommend its passage.

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay; and Mem. No. 116, A., accompanying the same;

Are respectfully reported back without recommendation.

Mem. No. 242, A., petition of John S. Richmond and 80 others, citizens of the town of Caledonia, for a repeal of chapter 236 of the Private and Local Laws of 1859, entitled "an act to lay out a State road from Portage City to Prairie du Sac;

And

Mem. No. 290, A., a remonstrance of W. Butterfield and 25 others, citizens of Sauk county, against the repeal of said act;

Have been considered, and are respectfully reported back to the House with recommendation that further consideration thereof be indefinitely postponed.

All of which is respectfully submitted.

C. G. HAMMARQUIST, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 426, A., a bill for "an act to amend section 21, of chapter 134 of the Revised Statutes, entitled "of executions and proceedings supplementary thereto." "

Have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage, when so amended.

AMASA COBB. *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clauses thereof be severally stricken out:

No. 489, A., a bill for an act to amend section 18 of chap-

ter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

No. 354, A.; a bill for an act to amend section 55, of chapter 22, of the General Laws of 1859, relating to fees of county officers.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 142, S., a bill for an act to amend section 1, of chapter 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county;"

Have had the same under consideration, and have instructed me to same return the back to the Assembly with substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills,

Have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend their passage.

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled "of the publication of legal decisions;"

No. 431, A., a bill for an act concerning the coupons of the capitol extension bonds, issued by the city of Madison;

No. 441, A., a bill for an act to extend the time of collection of taxes in the city of Watertown;

No. 425, A., a bill for an act to amend section eleven of chapter 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths.

AMASA COBB, *Ch'n.*

On motion of Mr. Smith,

The rules were suspended,

For the consideration of said bill,

No. 441, A.;

Whereupon,

Said bill was read the third time and passed.

The committee on the Judiciary to whom was referred

Mem. No. 271, A., petition of John M. Higbee and others, for an act to legalize a certain highway;

Have had the same under consideration and have instructed me to report the same back to the Assembly, and asked to be discharged from the further consideration thereof, being of the opinion that no legislative aid can be extended to the petitioners.

AMASA COBB, *Ch'n.*

The committee on Incorporations to whom was referred
No. 389, A., a bill for an act to authorize the several wards
of the city of Appleton, to organize a fire company ;

Also,

No. 435, A., a bill for an act to amend an act entitled "an
act to reduce the law incorporating the city of Janesville, and
the several acts amendatory thereof into one act, and to amend
the same, approved March 25th, A. D. 1858, and all acts amen-
datory of said act ;"

Also,

No. 443, A., a bill for an act to incorporate the Mequon
Farmer's Mutual Insurance Co. ;

Also,

No. 444, A., a bill for an act to incorporate the Tyrone Lake
Canal Co. ;

Have had the same under consideration, and instruct me to
report the same back to the Assembly without amendment, and
recommend their passage.

E. W. YOUNG.

The committee on Education, School and University Lands,
to whom was referred

No. 393, A., a bill for an act to authorize the commissioners
of school and university lands to remit penalties in certain
cases ;

Have had the same under consideration, and direct me to
report it back with the recommendation of indefinite post-
ponement.

E. D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands,
to whom was referred

No. 181, S., entitled a bill for an act to amend chap. 22, of
Revised Statutes, entitled "of academies and normal schools ;"

Also,

No. 114, S., entitled a bill for an act to provide for the pur-
chase of certain copies of Webster's Dictionary, for the supply
of deficient school districts of the State ;

Also,

No. 372, A., a bill for an act to authorize the commissioners
of school and university lands to refund certain sums of money
to Joseph Goldsmith ;

Have had the same under consideration, and direct me to
report the same back with the recommendation respectively,
that they severally pass.

E. D. HOLTON, *Ch'n.*

The select committee, to whom was referred

Bill No. 252, A. ;

Begs leave to report the same back, with an amendment, and recommend the passage of the same as amended.

GEO. B. GOODWIN, *Com.*

The select committee under Res. 22, A., to whom was referred

Bill No. 828, A., a bill for an act to amend section 110, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

Have had the same under consideration, and have instructed me to report it back to the Assembly, with a recommendation that the same be indefinitely postponed.

A. E. ELMORE, *Ch'n.*

The Select committee, consisting of the delegations from Fond du Lac and Dodge counties, to whom was referred bill

No. 881, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage when so amended.

B. H. BETTIS, *Ch'n.*

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
Madison, March 7, 1860.

To the Honorable the Assembly:

A bill entitled "an act to incorporate the Eau Claire Manufacturing Company," has been presented for my approval.

The act, among other things, authorizes the company to erect and maintain a dam or dams across the Chippewa river, on any lands owned by them in township (27) twenty-seven, north of range (9) nine west, in the county of Eau Claire.

At some seasons of the year the Chippewa river, at the point designated for the erection of the dam, is a navigable stream, and it is also navigable above that point from twelve to fifteen miles. There is no provision in this bill requiring the company to build locks, or to furnish any other facilities for passing steamboats or other water craft navigating said stream, around or over said dam. It would thus be a permanent obstruction to the navigation of the river. While there is no objection to the general objects of the act, except as above stated, I am constrained on account of that objection, to return the bill to the Assembly, where it originated, without my approval.

ALEX. W. RANDALL.

Said bill being

No. 120, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

Was taken up; and

The question being,

Shall this bill pass notwithstanding the objections of the Governor?

The Assembly refused to pass the bill,

By the following vote:

None voted in the affirmative.

Those who voted in the negative were

Messrs. Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Child, Cobb, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Simpson, Smith, Spottswood, Stonnard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting, Winter, Wood, Young and Mr. Speaker—78.

SENATE MESSAGE TAKEN UP.

J. Res. No. 16, S., relative to the Historical Society;

Was concurred in.

The Speaker appointed Messrs. Judd, Farwell and Munn as the committee on the part of the Assembly,

The Senate amendments to

No. 35, A., a bill for an act to change the name of Lucy Bell, and to establish her guardianship and heirship;

Were concurred in.

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

Received from the Senate for correction;

Was referred to the committee on Engrossed Bills.

No. 193, S., a bill for an act to amend chapter 80, of the Private and Local Laws of Wisconsin for the year 1859, entitled "an act to amend an act to incorporate the village of Waukesha;"

Was read first and second times, and

And placed on the general file..

No. 242, S., a bill for an act concerning testimony and investigation;

Was read first and second times, and
Referred to the committee on the Judiciary.

BILLS ON THEIR THIRD READING.

The following bills were severally read a third time and concurred in:

No. 125, S., a bill for an act to amend an act entitled "an act to incorporate the city of Prescott;"

No. 130, S., a bill for an act to amend an act entitled "an act to incorporate the La Crosse Hydraulic Company;"

No. 169, S., a bill for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad; also chapter 502, of the Private and Local Laws of 1856, entitled an act to authorize the city of Oshkosh to aid in the construction of a railroad, approved Oct. 11th, 1856; also chapter 188, of the Private and Local Laws of 1858, entitled an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

And,

No. 172, S., a bill for an act to incorporate the village of Mauston, in Juneau county;

No. 175, S., a bill for an act relating to the State tax of the county of Door;

The ayes and noes being required,

The bill was concurred in by the following vote

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Fairchild, Golden, Goodwin, Green Griffin, Griswold, Hammarquist, Hartung, Hayden, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, McMichael, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Robertson, Ruan, Schmidter, Seaton Simpson, Smith, Spotswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wescott, Wheeler, Whiting, Wood, Young and Mr. Speaker—75.

Those who voted in the negative were

Messrs. Alden, Ballantine and Holton—8.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chap. 150, of the Rev. Statutes;"

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

And,

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 68, A., a bill for an act to amend section 10, of chap. 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;"

No. 107, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

No. 161, A., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 167, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

No. 216, A., a bill to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 18, of the Revised Statutes, entitled "of assessment and collection of taxes;"

And,

No. 311, A., a bill for an act for the preservation of fish;
Were indefinitely postponed.

The enacting clause to

No. 373, A., a bill for an act to amend section 159, of chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

And,

No. 375, A., a bill for an act to amend chap. 180, of the Revised Statutes, entitled "of proceedings against debtors by attachments;"

Were stricken out.

No. 91, A., a bill for an act for the publication of the session laws in two newspapers in each county of this State,

Was referred to the committee on Printing.

No. 314, A., a bill for an act to amend section 23, of chapter 13, of the Revised Statutes, to confer additional powers on the county boards of supervisors;

Was referred to the committee on the Judiciary.

The amendments to

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank;

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg Plank Road Company;

And

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Were concurred in, and said bills ordered to be engrossed for a third reading.

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire County, to the mouth of Hay River in Dunn county;

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Revised Statutes, entitled "of prisons generally and common jails;"

No. 354, A., a bill for an act to amend an act entitled "An act to incorporate the Peshtigo Lumbering and Manufacturing Company, approved October 11, 1856, and the amendments thereto;

No. 363, A., a bill for an act authorizing the St. Croix River Bank to reduce its capital stock;

No. 370, A., a bill for an act to incorporate the Thiensville Fire Engine Company;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "of arrest and bail;"

No. 394, A., a bill to authorize Board of trustees of the village of Viroqua to levy a tax;

No. 403, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

No. 410, A., a bill for an act to appropriate to Seth M. Van Bergen the sum of \$765 83;

And

No. 411, A., a bill for an act to appropriate to Thomas McFarland the sum of \$81 75,

Were ordered engrossed for a third reading.

At eleven o'clock,

THE SPECIAL ORDERS,

Being

No. 201, A., a bill for an act to provide for the removal of the county seat of La Fayette county;

And

No. 131, A., a bill for an act to provide for the removal of the county seat of Iowa county;

Were taken up.

On motion of Mr. Palmer,

The Assembly resolved itself into the

COMMITTEE OF THE WHOLE,

Thereon.

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the special orders, Nos. 201 and 131, A., and had directed him to report No. 131, back to the Assembly without amendment and without recommendation; and No. 201, A., with the recommendation that the enacting clause be stricken out.

On leave granted.

Mr. Bouck introduced

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

Which was referred to the committee on Banks and Banking.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof.

Mr. SPEAKER:

I am directed to present to you for signature

No. 27, S., a bill for an act to amend sec. 26, of chap. 139, of the Revised Statutes, entitled of appeals and writs of error and proceedings therein;

No. 143, S., a bill for an act to amend section 1, of chapter 51, of the Private and local laws of 1858, entitled an act to authorize School Districts No. 5, in the town of Platteville, Grant County, to borrow money;

No. 156, S., a bill for an act to amend sections 8 and 16, of chapter 340, of the Private and Local Laws of 1856, an act to incorporate the Arena and Dubuque Railroad Company;

No. 166, S., a bill for an act to amend section 52, of chapter 28, of the Revised Statutes, entitled of the school and university lands.

Said bills were signed by the Speaker.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 64, S., a bill for an act to discontinue the surveys, and selections of swamp and overflowed lands within this State.

Mr. Bouck moved to adjourn until 8 o'clock, P. M.

On motion of Mr. Elmore,

The Assembly adjourned.

THURSDAY, MARCH 8, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

Mr. Sutton moved to dispense with the reading of the journal;

Which was not agreed to.

The Clerk proceeded to read the journal;

Whereupon, Mr. Bouck moved to dispense with the further reading of the journal;

Which was not agreed to.

The Clerk continued reading;

During which,

Upon motion of Mr. Ruan

The further reading was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Ordway:

Mem 293, A., of Gid. F. Jones, Charles Nutting and others for the alteration of the boundaries of the Assembly district, consisting of the towns of Chester, Trenton and Fox Lake, in the county of Dodge;

To committee on the Judiciary.

By Mr. Cole:

Mem. 294, A., of James VanMetre and 21 others, praying for the further protection of orchards and fruit trees;

To committee on Agriculture.

By Mr. Hunkins:

Mem. No. 295, A., of Wm. Woodcock, and 28 others, for a division of Milwaukee county;

To committee on Town and County organization.

By Mr. Hunkins:

Mem. No. 296, A., of Wm. W. Johnson and 122 others, for a law to reduce the toll for grinding;

To committee on Agriculture.

By Mr. Goodwin:

Mem. No. 297, A., of John Elmore, Platt Durand and others, in behalf of Rev. Sam'l Smith;

To committee on the Judiciary.

By Mr. Bouck:

Mem. No. 298, A., of Daniel Kuntz and 68 others, to reduce the price of grinding;

To committee on Agriculture.

ACCOUNTS,

Presented and referred to committee on Claims.

Mr. Elmore re-introduced,

No. 39, the account of W. E. Cramer.

Mr. Cobb re-introduced

No. 12, the account of Orton & Bryant.

RESOLUTIONS INTRODUCED.

By Mr. Westby:

Res. No. 111, A.;

Resolved, That the select committee appointed for the purpose of taking into consideration that portion of the Governor's Message relating to "rates of interest," be, and is hereby required to report to this house at as early a day as possible, a bill for the reduction of the rates of interest;

Which lies over.

By Mr. Griswold:

Res. No. 112, A.;

Resolved, That when the Assembly adjourns, it adjourn to meet at 7 o'clock this evening;

Which being of a privileged character,

The question was taken, and

The resolution adopted, by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bunn, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Griswold, Hammarquist, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Langland, Lewis, Meigs, Mitchell, Moore, Munn, Neville, Ordway, Patchin, Phillips, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—67.

Those who voted in the negative were

Messrs. Ahlhauser, Boyd, Goodwin, Grover, Hartung, Kiefer, Mulholland, Palmer and Rankin—10.

RESOLUTION CONSIDERED.

J. Res. No. 25, A.,

Relative to final adjournment,

Introduced by Mr. Weage on the 2d inst.

Mr. Horn moved to refer said resolution to the committee on Ways and Means;

Which was disagreed to.

Mr. Bartlett move to amend by striking out all after the word "concurring," and insert "that this Legislature receive no new business after 22d day of this month;"

Which was disagreed to.

Mr. Judd moved to amend by striking out the word "twentyeth" and insert "twenty-seventh;"

Which was agreed to.

Mr. Judd moved to strike out "fourteenth" and insert "eighteenth;"

Mr. Horn moved to amend said amendment by adding, "except bills introduced by standing committees;"

Which was accepted, and

Mr. Judd's amendment as amended was adopted.

Mr. Palmer moved to strike out all after the letters "A. M."

Mr. Horn moved to lay the motion on the table;

Which was disagreed to,

The question occurring on Mr. Palmer's amendment,

It was agreed to.

On motion of Mr. Elmore,

Said resolution was referred to the committee on Ways and Means.

Res. No. 105, A.;

Inquiring of the Supreme Court relative to their decisions;

Introduced by Mr. Bouck, yesterday.

Mr. Bartlett moved to amend by striking out the word "justices," and insert "clerk;"

Which was disagreed to,

And the resolution was adopted.

Res. No. 107, A.;

Providing Postage stamps for members;

Introduced by Mr. Alden yesterday.

Mr. Smith moved to amend, by adding, after the word "Assembly," the words, "and clerk of joint committee on Claims;"

Which was disagreed to.

Mr. Jackson moved to amend by adding to said resolution, "and to each employee, two dollars worth of one cent stamps;"

Which was disagreed to.

Mr. Bouck moved to refer said resolution to the committee on Ways and Means, with J. Res. No. 25, A.;

Which was disagreed to.

The question occurring on adopting said resolution;

It was lost by the following vote:

Those who voted in the affirmative, were.

Messrs. Ahlhauser, Alden, Altenhofen, Bartlett, Dockry, Fairchild, Goodwin, Green, Griffin, Grover, Hartung, Horn, Humann, Hunkins, Keogh, Kingsbury, McMichael, Munn, Rankin, Robertson, Wood and Young—28.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barden, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bunn, Child, Clise, Cobb, Cole, DeWolf, Dickson, Golden, Griswold, Hammarquist, Holton, Horton, Howland, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Mitchell, Moore, Mulholland, Nash, Ordway, Palmer, Patchin, Rogers, Schmidtner, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Winter and Mr. Speaker—56.

Res. No. 108, A.,

Furnishing postage stamps,

Introduced by Mr. Bartlett, yesterday,

Was laid on the table.

The morning hour having expired,

Mr. Bouck moved to suspend the rules so as to allow the introduction of bills and reports of committees to be made;

Which was agreed to.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Cobb:

No. 467, A., a bill for an act to amend section 6, of chapter 128, of the Revised Statutes, entitled claims and delivery of personal property;

To committee on the Judiciary.

By Mr. Coles:

No. 468, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

To committee on the Judiciary.

By Mr. Whittlesey:

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas;

To committee on Roads, Bridges and Ferries.

And,

No. 470, A., a bill for an act to organize the county of Ashland;

To committee on Town and County Organization.

By Mr. Howland:

No. 471, A., a bill for an act to repeal sections 41 and 55, of chap. 133, of the Revised Statutes, entitled "of costs and fees, and acts amendatory thereto;"

To committee of the Whole.

By Mr. Lewis:

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Church, in the city of Fond du Lac;

To committee on Incorporations.

By Mr. Wheeler:

No. 473, A., a bill for an act to amend chap. 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest;

To Select committee on Res. No. 16, A.

And,

No. 474, A., a bill for an act to authorize bondholders, creditors and stockholders of railroad companies to redeem the same after the foreclosure and sale thereof, under any mortgage thereupon;

To committee on the Judiciary.

COMMUNICATION FROM ATTORNEY GENERAL.

OFFICE OF ATTORNEY GENERAL,
MADISON, March 5, 1860.

To the Hon. the Assembly of the State of Wisconsin:

I have the honor to acknowledge the receipt of a copy of Assembly resolution No. 95, in which I am requested to communicate to your honorable body whether, in my opinion, the Legislature has the right, under the constitution and laws of this State, to repeal the act granting lands to the La Crosse and Milwaukee Rail Road Company, approved Oct 11th, 1856.

Also, whether the Legislature has the right to revoke and annul, all and singular, the rights and franchises conferred upon such Company by said act, so far as the same have not been performed and fulfilled, and so far as the rights and franchises granted by said act have not become complete and absolute, provided said Company has failed to comply with any of the provisions of said act.

1st. Has the Legislature power to repeal the act above named, approved Oct. 11th, 1856?

Section 1, of Article XI. of the Constitution, provides that corporations * * * may be formed under general laws, but shall not be created by special act, &c., * * * All general laws or special acts enacted under the provisions of this section "may be altered or repealed at any time after their passage."

If the act in question was enacted under the provisions of this section of the constitution, the power of the Legislature to alter or repeal it is undoubted. For it must be conceded that the above provision of the fundamental law, enters into and becomes a part of every act creating a corporation. In the case of *Snydam vs. Moore*, 8 Barbour, 358, the supreme court of New York decide that the provisions of a general law of that State authorizing the Legislature to alter, suspend or repeal the charter of a corporation, in their discretion, would authorize the amendment of a charter of incorporation, enacted after its passage, although the charter itself contained no such provision. If this would be the effect of a general law, of course, the operation of a similar provision in the constitution would be the same.

The only question then is, whether this act of 1856, was enacted under the provisions of the constitution above cited, as it does not, in express terms, create a corporation. It takes a corporation already organized and gives it new powers, and imposes upon it new duties. The La Crosse and Milwaukee R. R. Co. were incorporated by the Legislature, by a special act, enacted under the provision of the section of the constitution under consideration. This act could be amended or repealed. The act of 1856, so far as it changed the character or purposes of the corporation, was "an alteration" of the act of incorporation. It was enacted by the Legislature, by virtue of the powers conferred by this article of the constitution. If it should be repealed by another Legislature, it would be another "alteration" of the charter. It would be "altered" from its present condition to its original character. The power given the Legislature to alter a charter is not exhausted by a single exercise of it. It must exist as long as the charter exists.

The last clause of this section of the constitution is not limited to the *creation* of corporations. It applies with as much force to any change or amendment of a charter as to its creation.

The act of 1856 must either be considered an alteration of the old charter of the railroad company, or it must be regarded as creating a new company, with new duties and powers. In

either case, it is manifest the power of the Legislature to alter or repeal it must exist, because in either case the enactment was made under the provisions of this section of the constitution.

It will not be denied that all the powers conferred by the act upon this company, are corporate powers, powers that they did not possess before. If they were not conferred under this constitutional provision, under what one were they conferred?

If the Legislature had organized a new corporation, and had given to it the precise powers and rights it gave to this company, the power of the Legislature over it would be unquestioned. I do not think that the fact that they took an existing corporation, created for a different purpose, destroys their power, or changes their duties.

I am therefore forced to the conclusion, that, under the constitution, the Legislature has the power to repeal the act of 1856, referred to in the resolution.

But whether this is a proper construction of the constitution or not, a clause in the act itself, puts the power of the Legislature, beyond dispute.

Section 11, of the act, provides: "In case the said LaCrosse and Milwaukee R. R. Co., shall violate the provisions of this act the Legislature may repeal this act and may revoke all and singular the rights and franchises herein conferred, so far as the same has not been performed and fulfilled, and so far as the rights and privileges hereby granted have not become complete and absolute."

It has been repeatedly decided that a charter of incorporation is a contract between the power granting it and the person receiving it. Each party is bound by the stipulations contained in the charter—*Dartmouth College vs. Woodward*; 7 *Wheaton*, 708.

This act of 1856, was formally submitted by the Legislature to the company for their acceptance, and was as formally accepted by them. It then became an executed contract between the State and the company. The above quoted provision was and is one of the terms of that contract, and the company is now bound by it. It gives, in express terms, the Legislature power "to repeal the act" and "to revoke the rights and franchises" so far as the same had not become "complete and absolute," if the company should violate the provisions of the act." One of the conditions upon which the company took the rights conferred, was the right of the Legislature to "repeal," and "revoke," upon a violation of the provisions of the act by the company. The exercise of this right will depend upon the question, whether or not the provisions of the act have been violated.

This raises the question, who is to determine whether the act has been violated or not? It must be determined either by the Legislature or by the Courts.

Without any such clause in the act, as I have cited, and independent of the constitutional provision I have referred to, any court of competent jurisdiction in this State, could inquire into any violation of the terms of its charter, or misuse or abuse of its franchises, by any corporation in the State, and if such issue should be found against the corporation, could decree its dissolution. This would produce the same effect upon the company, that a repeal of the charter would. To hold then that this question must be first determined by a judicial tribunal, is to render the whole clause cited nugatory. It would not confer any power, whatever, upon the Legislature. They could only accomplish by aid of the courts, what the courts could at any time have done without the aid of the Legislature.

I am clearly of the opinion, that the Legislature have the sole right to determine whether the Company have violated the provisions of the act or not, and that their decision upon it is final and conclusive upon all the world.

In the cases of *Miner's Bank vs. U. S. 1 Green, 558: State vs. Curran, 7 English, 321: McLaren vs. Pennington, 1 Paige 102: Suydam vs. Moore, 8 Barbour 358*, the right of the Legislature to repeal or alter a charter, under clauses very similar to the one under consideration was affirmed, and they were declared to be the sole judges, whether the contingency which made the exercise of the power proper, had arrived or not.

It may be objected that this clause of the act of 1856, is unconstitutional; as being a violation of the Constitution of the United States, which forbids the passage of a law impairing the obligation of contracts. It is a sufficient answer to this to say, that the power of the Legislature over this act, is a part of the contract itself. The Company have solemnly agreed that the Legislature *may* repeal the act, in a certain contingency, and have made the Legislature the tribunal to determine whether the contingency has transpired or not. It is too late for the Company to deny the existence of the power. They have voluntarily subjected themselves to a liability to have it exercised.

I conclude therefore that the Legislature have power to repeal this act, under the power reserved to itself under the act.

Second.—What effect will such repeal have upon "rights and franchises" conferred by said act, so far as the same have become "complete and absolute," and how far have they become "complete and absolute?"

Under the view which I have taken of the Constitution, rail-

road franchises can never become "absolute," because the act creating and granting them can at any time be repealed. No performance or fulfillment on the part of the Company, can ever make them complete, because they can never become vested perpetually.

If, by the word "rights," used in your resolution, is meant rights of property granted by the act, and not the franchises incident to Railroad companies, the question becomes more difficult. It opens a subject of discussion which I have no time to elaborate. I can only indicate the conclusions to which I have arrived.

No rights of property that have become *vested* in this corporation, or in their assigns, will be taken away by a mere repeal of this act. Whether it might be taken away by affirmative legislation is a question I will not stop to consider. That would be an exercise of sovereign power I presume the Legislature do not contemplate. It would, manifestly, be in derogation of common right.

Upon the dissolution of a corporation, its property remains the property of the stockholders, and liable for the payment of its debts. The only effect of a repeal upon it would be to change its management and application.

What rights have the La Crosse and Milwaukee Railroad Company in the lands described in this act, by virtue of its provisions and their proceedings under it?

The ultimate decision of this question must be made by the courts. Any action the Legislature may take cannot be final. But it is their right and duty to inquire into it, and if, in their judgment, the Company have no rights, then to take such action as they may determine to be for the best interests of the State.

By the terms of the act of 1856, the interest of the State is conveyed to the Company by words of present grant, but with a proviso that the *title* to the lands shall vest only in a particular manner, and upon the happening of a certain contingency.

The legal effect of this grant, in my judgment, is that of an agreement on the part of the State, that when the Company shall build twenty consecutive miles of railroad, so as to admit of running regular trains thereon, and the Governor of the State shall certify that fact to the proper department of the United States Government, then the title shall vest to a portion of the lands, and the Governor shall furnish the Company with the evidence of that by the execution and delivery of a deed.

The company did not take any present interest in the *fee* of the lands granted by Congress. They took simply a right to acquire an interest in a particular manner. They had a kind

of exclusive right of pre-emption—the first and sole right to purchase, nothing more.

Whether they have built twenty consecutive miles of road and have received a certificate therefor from the Executive, are questions of fact.

If they have, they have a fee of so much of such lands as the act gives, for the length of road constructed.

If they have *not*, I have no hesitancy in saying they have no interest whatever in those lands.

As we have already seen, the Legislature, both by virtue of the constitution and of the act itself, have the right to repeal this act. When they shall have done so, the right of this company, to acquire a title to any more of this land than they have already obtained, will be gone, because their right to build any more of the road will be gone. The only means they have for getting the title will have been taken from them. The title for the remainder will remain in the State, subject only to the requirements of the act of Congress.

Respectfully submitted.

JAMES H. HOWE, *Att'y Gen.*

REPORTS OF COMMITTEES.

The committee on Swamp and Overflowed Lands, to whom was referred

Bill No. 382, A., a bill for an act to provide for the expenditure of the drainage fund monies in the county of Marathon;

Have had the same under consideration, and report the same back with an amendment, and recommend its passage when so amended.

A. WHITTLESEY:

The Judiciary Committee, to whom was referred

No. 40, A., and the amendments proposed thereto by committee on School and University Lands;

Report the same back with a substitute, and recommend the passage of the substitute.

G. BOUCK.

The committee on the Judiciary to whom was referred

No. 429, A., a bill for an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommend its passage when so amended.

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report, that

they have examined and compared the following bills and find them correctly engrossed :

No. 268, A., a bill for an act to reduce the capital stock of the Walworth County Bank;

No. 315, A., a bill for an act to amend section 8, of chapter 190, of the Revised Statutes, entitled "of prisons generally, and common jails;"

No. 354, A., a bill for an act to amend an act entitled "an act to incorporate the Peshtigo lumbering and manufacturing company," approved October 11, 185 ; and the amendments thereto;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "arrest and bail."

M. HOWLAND, *Ch'n.*

The committee on engrossed bills respectfully report that they have examined the following bills and find them correctly engrossed under rule 48 :

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City in Eau Claire county, to the mouth of Hay River, in Dunn county;

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg plank road company;

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock;

No. 370, A., a bill for an act to incorporate the Thiensville fire engine company;

No. 394, A., a bill for an act to authorize the board of trustees of the village of Viroqua, Bad Ax county, to levy a tax;

No. 403, A., a bill for an act to provide for laying out a State road from Chilton in Calumet county, to Wrightstown in Brown county;

No. 410, A., a bill for an act to appropriate to Seth M. Van Bergen the sum of \$765 88;

No. 411, A., a bill for an act to appropriate to Thomas Mc. Farland the sum of \$81 75.

M. HOWLAND, *Ch'n.*

The committee on Banks and Banking, to whom was referred No. 446, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

WM. GRISWOLD, *Ch'n.*

On motion of Mr. Bouck,
The rules were suspended,

The bill read a third time, and passed.

The committee on State Lands, to whom was referred memorial

No. 4, A., a memorial to Congress for a grant of land to the State of Iowa, to aid in the construction of the McGregor, St. Paul and Missouri River Railroad;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a recommendation that the same do pass.

WM. C. McMICHAEL.

The committee on Enrolled Bills, report that they have examined and compared the following bill, and find the same correctly enrolled:

No. 404, A., a bill for an act to refund penalties paid in certain cases.

A. WOOD, of *Assembly Com.*

Said bill was signed by the Speaker.

The Joint committee on Enrolled Bills report that on the 6th March inst., they presented to the Governor, for his approval, the following bills, viz:

No. 309, A., an act to appropriate to Amasa Cobb, the sum of \$66,88;

M. C. No. 3, A., memorial to the Post Master General of the United States, for re-instatement of weekly mail service on mail route 13,088, from Bayfield, in La Pointe county, to Chippewa Falls, in the county of Chippewa;

No. 192, A., an act to amend chapter 95, of the General Laws of 1859, entitled an act conferring jurisdiction on the county court of Bad Ax county;

No. 233, A., an act providing for additional terms of the circuit court for the county of Racine;

No. 409, A., an act to provide for the payment of certain outstanding indebtedness against the swamp land fund:

No. 300, A., an act to appropriate to George Theis the sum of \$73,75;

No. 299, A., an act to appropriate to Andrew Bishop the sum of \$52.

GEO. BENNETT,

Of Senate Com.

ALBERT WOOD,

Of Assembly Com.

The Joint Select committee, appointed by virtue of

J. Res. No. 13, A., as follows:

Resolved, by the Senate the Assembly concurring, That a select committee, consisting of two from the Senate and three

from the Assembly, be appointed to enquire and report at an early day, whether any and what legislation may be necessary or proper to encourage and secure the investment of capital in the erection of factories, and in the business of manufacturing in this State; and also to enquire and report whether any, and what changes in the interest laws, are required, in order to promote the business interests of this state, and to encourage manufacturing and the mechanic arts;

Beg leave to report by bill hereby submitted; and we would further recommend to the favorable consideration of the Legislature, any bill that is now, or may hereafter be, introduced for the reduction of the legal interest; provided, that a morespeedy system in the collection of debts should be adopted, during this session of the Legislature.

All of which is respectfully submitted.

L. A. SCHMIDTNER, *Ch'n.*

E. W. YOUNG,

E. W. STANNARD,

E. L. PHILLIPS.

Said bill being,

No. 475, A., a bill for an act to encourage the investment of capital in manufacturing business in this State;

Was read twice and sent to the general file.

The Joint committee on Printing to whom was referred bill

No. 91, A., a bill for an act for the publication of the Session Laws, in two newspapers in each county of this State;

Report the same back with amendments, and recommend the adoption of the same as amended.

GEO. B. GOODWIN, *Ch'n.*

The committee consisting of the members from the city of Milwaukee, to whom was referred the following bills, have had the same under consideration, and a majority of the committee (Mr. Schmidtner dissenting) have instructed me to report the same back to the Assembly, without amendment, and recommend their passage, viz:

No. 225, A., a bill to authorize the city of Milwaukee to construct certain bridges;

No. 461, A., a bill to authorize the city of Milwaukee to construct and maintain certain bridges.

The same committee have also had under consideration

Mem. No's. 228, 229, 280, 281 and 282, A., all of which pray for the passage of said bill, No. 225, A.;

And report the same back, with the bill.

H. L. PALMER, *Ch'n.*

The select committee consisting of the members from the city of Milwaukee, to whom was referred

No. 139, A., a bill for an act to provide for the re-assessment of taxes in the city of Milwaukee, for the years 1856 and 1857;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with amendments, and recommend the passage thereof as amended.

H. L. PALMER, *Ch'n.*

The select committee of nine, to whom was referred

J. Res. No. 10, A.,

Relative to the proposed amendments of the constitution ;

Also,

J. Res. No. 12, A.,

On the same subject ;

Also,

Mem. No. 120, A., on the same subject ;

Also,

Mem. No. 216, A., relative to a revision of the constitution by a convention ;

Having had the same under consideration, do hereby respectfully report :

Your committee are of the opinion that the constitution needs amending in some or all of those particulars which are embraced in the aforesaid several memorials and joint resolutions ; and they are further of the opinion there is still greater and more pressing necessity for amending the constitution in several important particulars not referred to in any of the said memorials and joint resolutions ; and they are further of the opinion that the constitution needs a thorough revision, and that no such revision is practicable or possible by pursuing the course of submitting for popular ratification detached and isolated propositions of amendment.

And finally, they are of opinion (Mr. Bouck dissenting,) that the time has arrived when the best interests of the State demand that the Legislature should submit to the people, for their ratification or rejection at the next general election, the question of calling a constitutional convention.

Therefore, in accordance with the foregoing opinions, your committee do herewith report back to the House the aforesaid memorials and joint resolutions, accompanied by a bill, and recommend the passage of the bill.

All of which is respectfully submitted.

A. E. BOVAY, *Ch'n.*

Said bill being

No. 476, A., a bill for an act to provide for submitting to the people, the question of calling a convention to revise the constitution ;

Was read twice, and
Sent to general file.

The committee on Education, School and University Lands,
to whom was referred bill

No. 219, A., entitled an act to annex certain territory to Geneva school district No. 1;

Have had the same under consideration, and report it back with an amendment, and when so amended its passage is recommended.

E. D. HOLTON, *Ch'n.*

The rules were suspended,
The amendment was adopted,
The bill read a third time, and passed.

The committee on Claims to whom was referred bill

No. 118, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake;

Have had the same under consideration, and report it back with the recommendation that it do pass.

Also,

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

Have had the same under consideration, and have instructed me to report it back with an amendment, and recommend its passage as amended.

Also,

No. 269, A., the memorial of E. Chesebro, asking for compensation for services rendered, and expenses incurred, in founding a school for the deaf and dumb, in the year 1851, at Darien, Walworth county, Wisconsin;

Have considered the same, and have instructed me to report it back with the recommendation that the prayer of the memorial be not granted.

HEBER SMITH, *Ch'n.*

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,

Madison, Wis., March 7, 1860.

To the Hon. the Legislature:

On two occasions, in my messages, I have called the attention of the Legislature to the inadequacy of the Militia Laws of this State.

The law declares that "it shall be the duty of the Governor, and of all the subordinate officers of the State, to maintain and defend its sovereignty and jurisdiction."

The Constitution makes it the duty of the Governor to "take care that the laws be faithfully executed."

The Governor is made, by the Constitution, "Commander-in-chief of the military and naval forces of the State."

Section 4, of chapter 81, of the Revised Statutes, reads: "The Governor shall be Commander-in-chief of the Militia of this State, *except when called into the service of the United States*," &c.

Either the Constitution of the State is wrong; or the statute is wrong. They materially disagree.

While the Constitution makes the Governor Commander-in-chief of the militia, the Legislature must direct how the militia is to be used, and furnish the means for support while in service. Under the Militia Laws of this State, the power of the Executive over the militia of this State is confined mostly to making and unmaking military officers and organizations, and suppressing riots.

The entire military organization is wholly inefficient, and the authority of the Executive wholly inadequate, to meet any contingency where the rights or jurisdiction or sovereignty of the State are imposed upon by usurpation or aggression from without, or when they are likely to suffer from insurrection or rebellion from within.

Expenses incurred in the use of a military force must be paid as they are incurred. I shall undertake to do, in all cases, and without regard to consequences, whatever the Legislature may or shall constitutionally authorize or require, to the full extent of the power conferred and means furnished for the performance of public duties.

I deem it my duty to again call the attention of the Legislature to this subject, because of the radical defects in our Militia Laws.

ALEX. W. RANDALL.

Said message was referred to the committee on the Militia.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has indefinitely postponed

No. 210, A., a bill for an act prescribing the mode of sales in judgments or order of court in certain cases.

And has concurred in the passage of

No. 264, A., a bill for an act to amend an act entitled an act to incorporate the village of Geneva;

Without amendment.

No. 14, A., a bill for an act to authorize persons having a lien upon land to pay the taxes upon the same;

With an amendment.

No. 56, A., a bill for an act to incorporate the Workmen's Relief Association of the city of Watertown;

Without amendment.

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw, and Oconto;

Without amendment.

No. 85, A., a bill for an act to amend chapter 91, of the Laws of 1856, entitled "an act to provide for the protection of stockholders of railroad corporations;"

Without amendment.

No. 138, A., a bill for an act to restore William Greeno to citizenship;

Without amendment.

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors:

Without amendment.

No. 317, A., a bill for an act to appropriate to Church and Hawley the sum of \$198 61;

Without amendment.

No. 157, A., a bill for an act to amend an act entitled an act to incorporate the Mutual Life Insurance Company of the city of Madison, approved March 19th, 1859;

With amendment.

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved October 13, 1856;

With amendment.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 30, S., A bill for an act to provide for the service of process on non-resident defendants in certain cases;

No. 123, S., a bill for an act to repeal chapter 48, of the General Laws of 1858, entitled an act to amend section 5, of chapter 121, of General Laws of 1856, entitled an act concerning Railroads;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

No. 168, S., a bill for an act to repeal sections 1, 2, 3, 4, 5, 6 and 7, of chapter 79, of the Revised Statutes, entitled "of Railroads;"

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$446 75;

Mem. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via. St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman and Hammond, to Warren;

No. 85, S., a bill for an act to regulate and license the keeping of dogs;

No. 147, S., a bill for an act, entitled "an act to consolidate and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereto;"

No. 135, S., a bill for an act to amend charter of the Kenosha, Rockford and Rock Island Railroad Company;

No. 150, S., a bill to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and canceling of mortgages."

No. 186, S., a bill for an act to amend an act, entitled an act to annex certain territory to the town of Hudson.

On motion of Mr. Smith,

The rules were suspended and

No. 116, S., a bill for an act to authorize the Secretary of State to audit the annual appropriation to county agricultural societies;

No. 194, S., an act to incorporate the First Universalist Church of Monroe;

And,

No. 413, A., a bill to change the boundaries of the town of Watertown, in the county of Jefferson;

Were taken from the general file, and

No. 413, A.,

Was referred to the committee on the Judiciary.

No. 194, S.,

Was read a third time and concurred in.

The ayes and noes being required,

The bill passed by the following vote—ayes 47, noes 29.

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bartlett, Bettis, Beath, Bouck, Boyd, Brooks, Bugh, Child Cobb, Cole, Coles, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hartung, Horn, Jackson, Johnson, Kingsbury, Miller, Mitchell, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Smith, Stannard, Townsend, Wescott and Winter—47.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bow, Clise, DeWolf, Dickson, Dockry, Griswold, Hammarquist,

Hayden, Hesk, Holton, Horton, Howland, Humann, Hunkins, Judd, Keogh, Keifer, Langland, Lewis, Moore, Nash, Ordway, Schmidtner, Seaton, Simpson, Sumner, Sutton, Weage, Westby, Wheeler, Whiting, Wood, Young and Mr. Speaker—29.

BILLS AND RESOLUTIONS FROM THE SENATE.

On their first and second reading.

No. 64, S., a bill for an act to discontinue the surveys and selection of swamp and overflowed lands within this State;

Was read first and second times, and

Referred to committee on Swamp and Overflowed Lands.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

No. 131, A., a bill for an act to provide for the removal of the county seat of Iowa county;

Being under consideration,

Mr. Alden moved a call of the House,

Which being ordered,

The roll was called;

Messrs. Hartung, Hayden, Spottswood, VanderCook and Wheeler were found to be absent, without leave.

On motion of Mr. Horn;

Further proceedings under the call were dispensed with.

Mr. Cobb moved to strike the enacting clause from the bill

The ayes and noes being called and ordered,

The motion prevailed, by the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Barden, Bartlett, Bettis, Beath, Boyd, Brooks, Bunn, Child, Clise, Cobb, DeWolf, Dickson, Elmore, Farwell, Golden, Goodwin, Green, Griswold, Grover, Hammarquist, Horton, Howland, Humann, Johnson, Judd, Kingsbury, Langland, Lewis, Mackay, McMichael, Mitchell, Moore, Neville, Ordway, Palmer, Rogers, Schmidtner, Smith, Spottswood, Stannard, Sumner, Townsend, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—51.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barnum, Bouck, Bow, Bugh, Cole, Coles, Dockry, Fairchild, Griffin, Hartung, Hayden, Hesk, Holton, Horn, Hunkins, Jackson Keogh, Kiefer, Meigs, Mulholland, Munn, Nash, Patchin, Rankin, Robertson, Ruan, Seaton, Simpson, Sutton, Upson and Weage—36.

Mr. Cobb moved to reconsider said vote, and moved to lay that motion on the table;

Which prevailed by the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Ballantine, Barden, Bartlett Bettis, Beath, Boyd, Brooks, Bugh, Bunn, Child, Clise, Cobb, DeWolf, Dickson, Elmore, Farwell, Golden, Goodwin, Green, Griswold, Hammarquist, Horton, Howland, Humann, Johnson, Judd, Kingsbury, Langland, Lewis, Mackay, McMichael, Moore, Ordway, Rogers, Schmidtner, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Griffin, Grover, Hartung, Hayden, Hesk, Horn, Hunkins, Jackson, Keogh, Kiefer, Meigs, Mulholland, Munn, Nash, Palmer, Patchin, Rankin, Robertson, Ruan, Seaton, Simpson, Sutton and Wheeler—34.

No. 201, A., a bill for an act to provide for the removal of the county seat of La Fayette county ;

Was taken up, and

The question being,

“ Shall the enacting clause be stricken out ? ”

The enacting clause thereof was stricken out by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Baldwin, Barden, Bartlett, Beath, Boyd, Brooks, Bunn, Child, Clise, Cobb, DeWolf, Dickson, Elmore, Fairchild, Farwell, Goodwin, Green, Griswold, Hammarquist, Hartung, Hayden, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, McMichael, Moore, Munn, Neville, Palmer, Patchin, Rankin, Robertson, Schmidtner, Seaton, Simpson, Smith, Spottswood, Sumner, Townsend, Westby, Whiting, Wood, Young and Mr. Speaker—54.

Those who voted in the negative were

Messrs. Alden, Bachuber, Ballantine, Barnum, Bettis, Bouck, Bow, Bugh, Cole, Coles, Dockry, Golden, Griffin, Grover, Hesk, Holton, Horn, Jackson, Kiefer, Meigs, Mitchell, Mulholland, Nash, Ordway, Rogers, Ruan, Stannard, Sutton, Weage, Wescott, Wheeler and Whittlesey—31.

Mr. Townsend moved to reconsider said vote ;

On motion of Mr. Townsend,

Said motion was laid on the table.

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money in Brown county ;

Was ordered engrossed for a third reading.

THE SPECIAL ORDER,

No. 367, A., a bill to amend chap. 164. of the Revised Statutes, entitled "of offences against the lives and persons of individuals," and to provide for the punishment of the crime of murder in the first degree ;

Being under consideration,

Mr. Bouck moved to lay said bill on the table ;

Which was agreed to by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Cobb, Cole, Coles, Dickson, Ermore, Fairchild, Farwell, Golden, Green, Heak, Howland, Jackson, Johnson, Kiefer, McMichael, Miller, Mitchell, Moore, Mulholland, Nash, Neville, Robertson, Rogers, Ryan, Schneider, Seaton, Stannard, Sumner, Upson, Wescott, Whiting, Wood, Young and Mr. Speaker—50.

Those who voted in the negative were

Messrs. Alden, Barnum, Bouck, Bow, Clise, DeWolf, Dockery, Goodwin, Griffin, Griswold, Grover, Hartung, Holton, Horton, Humann, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, Meigs, Munn, Ordway, Palmer, Rankin, Simpson, Smith, Sutton, Townsend, Weage, Westby, Whittlesey and Winter—32.

BILLS,

In which a committee of the Whole have made progress and asked leave to sit again:

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On

No. 11, S., a bill for an act to amend chap. 167, of the General Laws of 1859, entitled "an act to amend chap. 18 of the Revised Statutes, entitled 'of the assessment and collection of taxes ;' "

And

No. 412, A., a bill for an act to amend chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes, and the acts amendatory thereto ;"

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration

No. 11, S., and No. 412, A., had made progress therein, and asked leave to sit again ;

Leave was granted.

On motion of Mr. Bartlett,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

Mr. Alden moved a call of the house ;

Which was sustained.

The roll was called, and the following named gentlemen were absent without leave :

Messrs. Bugh, Cobb, Elmore, Farwell, Grover, Hayden, Holton, Hunkins, Jackson, Keogh, McMichael, Meigs, Rankin, Ruan, Townsend, VanderCook, Wheeler and Whittlesey.

Mr. Bouck moved to adjourn ;

Which was disagreed to.

On motion of Mr. Bouck,

Further proceedings under the call were dispensed with.

On motion of Mr. Bouck ;

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills ;

Mr. Horn in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 123, A., a bill for an act to strike certain territory from the county of La Fayette, and attach the same to the county of Iowa ;

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon ;

No. 324, A., a bill for an act to amend chap. 182, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscebel and Manhattan Bridge Co. ;

No. 359, A., a bill for an act to amend section 9, chap. 2, of an act entitled "an to incorporate the city of Fond du Lac," approved March 19, 1852;

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 24th, 1859;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

No. 416, A., a bill for an act to amend an act entitled an act to incorporate the city of La Crosse, and the several acts amendatory thereto, approved March 14, 1856;

No. 418, A., a bill for an act to amend an act entitled "an act to incorporate the village of Waterloo;"

No. 432, A., a bill for an act to appropriate to Milo Coles the sum of \$50 98;

No. 433, A., a bill for an act to appropriate to G. D. Nris the sum of \$122 45;

No. 434, A., a bill for an act to appropriate to Wm. P. Barnes the sum of \$27;

No. 105, S., a bill for an act to amend chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;"

No. 81, S., a bill for an act to amend an act, entitled "an act to incorporate the Yellow River Improvement Company," approved March 2, 1857;

No. 76, S., a bill for an act to amend an act approved March 11, 1859, entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855;

No. 443, A., a bill for an act to incorporate the M-quon Farmers' Mutual Insurance Company;

No. 372, A., a bill for an act to authorize the commissioners of school and university lands, to refund certain sums of money to Joseph Goldsmith;

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menominee river;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county;

No. 60, S., a bill for an act to authorize the Citizen's Bank, Oshkosh, to remove to Black River Falls, Jackson county ;

No. 384, A., a bill for an act to amend section 53, of chapter 140 of the Revised Statutes, entitled "miscellaneous proceedings in civil actions and general provisions;"

No. 371, A., a bill for an act to amend chapter 95, of the Revised Statutes, entitled "of the rights of married women;"

And

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading and to repeal section 36, of chapter 165 of the Revised Statutes, entitled "of offences against property;"

Without amendment.

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

No. 78, A., a bill for an act to repeal chap. 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin river;"

No. 79, A., a bill for an act to repeal chapter 58 of the Private and Local Laws of 1856, entitled "an act to amend chapter 330 of the Private and Local Laws of 1855;"

No. 116, A., a bill for an act to authorize the Governor to appoint Commissioners of Foreign Emigrants;"

No. 348, A., a bill for an act to provide for the proper burial of the dead;

No. 406, A., a bill for an act to incorporate the Delavan Academy;

No. 32, A., a bill for an act to change the name of Archy Annette, and to constitute him an adopted son of William and Mary Collins.

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county.

No. 383, A., a bill for an act to amend the act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20th, 1852, and to amend the several acts amendatory thereof;

And,

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings thereon;"

With amendments.

No. 257, A., a bill for an act to remit certain penalties imposed by sections 62, and 117, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

No. 344, A., a bill for an act to authorize school district No. 1, town of Cassville, Grant county, to borrow money to build a school house;

No. 379, A., a bill for an act for town and school organization in the county of Clark;

And,

No. 419, A., a bill for an act to extend the time for the payment of interest due the school fund of this State, on school, university and swamp lands.

With recommendation of indefinite postponement.

No. 22, A., a bill for an act to incorporate religious societies;

With recommendation of reference to committee on the Judiciary.

No. 376, A., a bill for an act to repeal chapter 186, of the Private and Local Laws of 1859, entitled "an act to divide the town of Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell, in said county;

With recommendation of reference to Jefferson county delegation.

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

With recommendation of reference to committee on Ways and Means.

No. 368, A., a bill for an act to facilitate the collection of judgments;

With recommendation of reference to the committee on the Judiciary.

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local Laws of 1858, relating to a certain State road therein named;

With recommendation of reference to the Manitowoc delegation.

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

With recommendation of reference to committee on Roads, Bridges and Ferries.

No. 139, S., a bill for an act relating to the duties of register of deeds;

With recommendation of reference to committee on the Judiciary.

No. 181, A., a bill for an act entitled "an act of the registration of births, marriages and deaths;"

With recommendation that the enacting clause be stricken out.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

The committee on Enrolled Bills report that they have compared and examined the following bills, and find the same correctly enrolled :

No. 35, A., an act to change the name of Lucy Bell, and to establish her guardianship and heirship.

No. 436, A., an act to amend chap. 131, of the Private and Local Laws of 1857, entitled " an act to incorporate the city of Mineral Point."

No. 806, A., an act for the relief of Sheboygan county.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Engrossed Bills respectfully report that they examined and compared the following bill, and find it correctly engrossed :

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

M. HOWLAND, *Ch'n.*

Mr. Barnum moved that when the Assembly adjourn, it adjourn over until Monday next at 8 o'clock, P. M.;

Pending which,

On motion of Mr. Judd,

The Assembly adjourned.

FRIDAY, MARCH 9, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

The journal had not been received from the printer.

The following named gentlemen were granted leave of absence:

Messrs. VanderCook, Meigs, Horn, Cobb, Bartlett, and Johnson until Monday next.

Messrs. Elmore and Winter until Tuesday;

Mr. Schmidtner for four days.

On motion of Mr. Palmer,

The Clerk was granted leave of absence for two days.

ACCOUNTS

Presented and referred to the committee on Claims.

By Mr. Fairchild:

No. 72, the account of Mosely & Brother.

And,

No. 73, the account of Mosely & Brother.

RESOLUTIONS INTRODUCED.

By Mr. Mulholland:

Res. No. 113, A.,

Resolved, That on and after Monday, the 12th inst., the hours of session shall be from 9, A. M., to 1, P. M., and from 3 to 5, P. M. Also that no member shall be granted leave of absence for more than one day at any one time;

Which lies over.

By Mr. Goodwin:

Res. No. 114, A.,

Resolved, That the Superintendent of Public Property be, and is hereby, instructed to buy from B. Domschke, in Milwaukee, 1,200 copies of the town laws, in the German language, for the use of this Assembly, the price not to exceed fifty-cents per copy;

Which lies over.

RESOLUTION CONSIDERED.

Res. No. 109, A.,

Proposing to amend the constitution;

Introduced by Mr. Sutton on the 7th inst.;

Was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Bartlett :

No. 477, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Co.;

To committee on Incorporations.

By Mr. Palmer :

No. 478, A., a bill for an act concerning creditor's bills ;

To committee on the Judiciary.

By Mr. Holton :

No. 479, A., a bill for an act to revise and modify an act to incorporate the Milwaukee Cemetery Association of the city of Milwaukee, approved August 16, 1848 ;

To committee composed of the Milwaukee delegation.

By Mr. Goodwin :

No. 480, A., a bill for an act to protect widows and orphans ;

To committee on Charitable and Religious Societies.

By Mr. Humann :

No. 481, A., a bill for an act to prohibit courts, judges, or other officers in this State, to admit persons charged with the crime of murder to bail before trial ;

To committee on Judiciary.

By Mr. Bouck :

No. 482, A., a bill for an act concerning the publication of legal process and notices ;

To committee on Judiciary.

By Mr. Stannard :

No. 483, A., a bill for an act for the removal of the county seat of Sheboygan county, to the village of Plymouth, in said county ;

To committee on Town and County Organization.

REPORTS OF COMMITTEES.

The committee on Agriculture and Manufactures to whom was referred

Mems. Nos. 296, and 298, A., petitions to reduce the rates of toll for grinding ;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, without recommendation, for the reason, that the object petitioned for, is pro-

THE SPECIAL ORDER,

No. 367, A., a bill to amend chap. 164, of the Revised Statutes, entitled "of offences against the lives and persons of individuals," and to provide for the punishment of the crime of murder in the first degree ;

Being under consideration,

Mr. Bouck moved to lay said bill on the table ;

Which was agreed to by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Farwell, Golden, Green, Hesk, Howland, Jackson, Johnson, Kiefer, McMichael, Miller, Mitchell, Moore, Mulholland, Nash, Neville, Robertson, Rogers, Ruan, Schmitdner, Seaton, Stannard, Sumner, Upson, Wescott, Whiting, Wood, Young and Mr. Speaker—50.

Those who voted in the negative were

Messrs. Alden, Barnum, Bouck, Bow, Clise, DeWolf, Dockery, Goodwin, Griffin, Griswold, Grover, Hartung, Holton, Horton, Humann, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, Meigs, Munn, Ordway, Palmer, Rankin, Simpson, Smith, Sutton, Townsend, Weage, Westby, Whittlesey and Winter—32.

BILLS,

In which a committee of the Whole have made progress and asked leave to sit again:

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On

No. 11, S., a bill for an act to amend chap. 167, of the General Laws of 1859, entitled "an act to amend chap. 18 of the Revised Statutes, entitled 'of the assessment and collection of taxes ;'"

And

No. 412, A., a bill for an act to amend chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes, and the acts amendatory thereto ;"

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration

No. 11, S., and No. 412, A., had made progress therein, and asked leave to sit again ;

Leave was granted.

On motion of Mr. Bartlett,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

Mr. Alden moved a call of the house ;

Which was sustained.

The roll was called, and the following named gentlemen were absent without leave :

Messrs. Bugh, Cobb, Elmore, Farwell, Grover, Hayden, Holton, Hunkins, Jackson, Keogh, McMichael, Meigs, Rankin, Ruan, Townsend, VanderCook, Wheeler and Whittlesey.

Mr. Bouck moved to adjourn ;

Which was disagreed to.

On motion of Mr. Bouck,

Further proceedings under the call were dispensed with.

On motion of Mr. Bouck ;

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills ;

Mr. Horn in the chair,

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again ;

Leave was granted.

No. 123, A., a bill for an act to strike certain territory from the county of La Fayette, and attach the same to the county of Iowa ;

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon ;

No. 324, A., a bill for an act to amend chap. 182, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscebel and Manhattan Bridge Co. ;

No. 359, A., a bill for an act to amend section 9, chap. 2, of an act entitled "an to incorporate the city of Fond du Lac," approved March 19, 1852;

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 24th, 1859;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

No. 416, A., a bill for an act to amend an act entitled an act to incorporate the city of La Crosse, and the several acts amendatory thereto, approved March 14, 1856;

No. 418, A., a bill for an act to amend an act entitled "an act to incorporate the village of Waterloo;"

No. 432, A., a bill for an act to appropriate to Milo Coles the sum of \$50 98;

No. 433, A., a bill for an act to appropriate to G. D. Nris the sum of \$122 45;

No. 434, A., a bill for an act to appropriate to Wm. P. Barnes the sum of \$27;

No. 105, S., a bill for an act to amend chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;"

No. 81, S., a bill for an act to amend an act, entitled "an act to incorporate the Yellow River Improvement Company," approved March 2, 1857;

No. 76, S., a bill for an act to amend an act approved March 11, 1859, entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855;

No. 443, A., a bill for an act to incorporate the Mcquon Farmers' Mutual Insurance Company;

No. 372, A., a bill for an act to authorize the commissioners of school and university lands, to refund certain sums of money to Joseph Goldsmith;

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menominee river;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county;

No. 60, S., a bill for an act to authorize the Citizen's Bank, Oshkosh, to remove to Black River Falls, Jackson county;

No. 384, A., a bill for an act to amend section 53, of chapter 140 of the Revised Statutes, entitled "miscellaneous proceedings in civil actions and general provisions;"

No. 371, A., a bill for an act to amend chapter 95, of the Revised Statutes, entitled "of the rights of married women;"

And

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading and to repeal section 36, of chapter 165 of the Revised Statutes, entitled "of offences against property;"

Without amendment.

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

No. 78, A., a bill for an act to repeal chap. 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin river;"

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No. 348, A., a bill for an act to provide for the proper burial of the dead;

No. 406, A., a bill for an act to incorporate the Delavan Academy;

No. 32, A., a bill for an act to change the name of Archy Annett, and to constitute him an adopted son of William and Mary Collins.

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county.

No. 383, A., a bill for an act to amend the act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20th, 1852, and to amend the several acts amendatory thereof;

And,

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings thereon;"

With amendments.

No. 257, A., a bill for an act to remit certain penalties imposed by sections 62, and 117, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

No. 344, A., a bill for an act to authorize school district No. 1, town of Cassville, Grant county, to borrow money to build a school house;

No. 379, A., a bill for an act for town and school organization in the county of Clark;

And,

No. 419, A., a bill for an act to extend the time for the payment of interest due the school fund of this State, on school, university and swamp lands.

With recommendation of indefinite postponement.

No. 22, A., a bill for an act to incorporate religious societies ;

With recommendation of reference to committee on the Judiciary.

No. 376, A., a bill for an act to repeal chapter 186, of the Private and Local Laws of 1859, entitled "an act to divide the town of Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell, in said county ;

With recommendation of reference to Jefferson county delegation.

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace ;"

With recommendation of reference to committee on Ways and Means.

No. 368, A., a bill for an act to facilitate the collection of judgments ;

With recommendation of reference to the committee on the Judiciary.

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local Laws of 1858, relating to a certain State road therein named ;

With recommendation of reference to the Manitowoc delegation.

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce ;

With recommendation of reference to committee on Roads, Bridges and Ferries.

No. 139, S., a bill for an act relating to the duties of register of deeds ;

With recommendation of reference to committee on the Judiciary.

No. 181, A., a bill for an act entitled "an act of the registration of births, marriages and deaths ;"

With recommendation that the enacting clause be stricken out.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

The committee on Enrolled Bills report that they have compared and examined the following bills, and find the same correctly enrolled :

No. 35, A., an act to change the name of Lucy Bell, and to establish her guardianship and heirship.

No. 436, A., an act to amend chap. 131, of the Private and Local Laws of 1857, entitled " an act to incorporate the city of Mineral Point. "

No. 306, A., an act for the relief of Sheboygan county.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Engrossed Bills respectfully report that they examined and compared the following bill, and find it correctly engrossed :

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

M. HOWLAND, *Ch'n.*

Mr. Barnum moved that when the Assembly adjourn, it adjourn over until Monday next at 3 o'clock, P. M.;

Pending which,

On motion of Mr. Judd,

The Assembly adjourned.

FRIDAY, MARCH 9, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

The journal had not been received from the printer.

been departed from—and any other facts relating to said institution or its management, as may be important to the Legislature ;”

Report that owing to other pressing official duties they have not been able to give the subject committed to them, that minute and thorough investigation, its great importance demands, and the resolution would seem to anticipate. The resolution embraces nine propositions, each of which we propose to answer in their order, as briefly as may be, in the performance of our duty.

1st—“ *What amount of money has been expended on the State Hospital for the Insane?*”

The books of the Secretary of State, show that there was an

Appropriation made in 1857, of.....	\$35,000 00
.....do.....do.....1858, of.....	18,000 00
.....do.....do.....1859, of.....	81,710 00
.....do.....heating apparatus, engine, &c., in 1859,.....	23,500 00
.....do.....trustees for furniture, &c, in 1859,.....	8,000 00

Total amount of appropriations,.....	\$116,210 00
Of this amount was paid to commissioners prior to 1st Jan., 1860,.....	115,183 37

Leaving balance at that date of.....	\$1,101 63
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2d—“ *How such money has been expended.*”

The actual expenditure of the money appropriated by the Legislature, and used by said commissioners in and about erecting the buildings and other fixtures, have not been minutely inquired into by your committee, the time afforded them not being sufficient to enable them to do so, as before suggested.

The annual reports made by the commissioners, show their expenditures from year to year, in payment of Nelson McNeal, contractor, as follows :

In 1858, (see page 7, report,).....	\$33,498 84
In 1859, (see page 37, report,).....	59,262 75

Total as thus stated,.....	\$92,761 59
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Again on page 36, of report for 1859, McNeal is charged,

To amount paid by warrants on the State Treasurer, up to June 1st, 1859, when he abandoned his contract,.....	\$71,999 12
The account of the commissioners with the State Treasurer as per statement furnished from the books of the Secretary of State, shows gross amount paid Nelson McNeal,.....	69,730 17
Paid Dane County Bank for McNeal,.....	5,730 91

Making per that statement as the total sum paid McNeal,....	\$75,461 08
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The commissions also report payments to S. V. Shipman, superintendent and architect, as follows :

In 1857, (see report page 5,).....	\$419 25
1858, (....do....do.. 7,)	2,425 25
1858, (..do....do...7,)	125 00
1858, (....do....do...7,)	45 00
1859, (....do....do...37,).....	1,625 00

Making a total of, as per reports,.....\$4,639 50

The Secretary of State reports gross amount paid to S. V. Shipman architect, to be.....\$4 754 50

The several annual reports of the commissioners pretend to account for the entire appropriations made from time to time by the Legislature, but they fail to mention in any of their reports one farthing as paid to themselves, for their expenses or services as commissioners.

Section 16, of chapter 64, of the Session Laws of 1857, entitled "an act to provide a State hospital for the insane," and which is the law authorizing the appointment of the commissioners, reads as follows:

"The said commissioners shall be entitled to receive, monthly, for their services, out of the fund appropriated for the erection of such buildings, the sum of five dollars per day for their time actually and necessarily devoted to said services, and their actual traveling expenses, while traveling on business appertaining to their said office."

The report of the Secretary of State show gross amount paid the commissioners up to January 1st, 1860, to be as follows:

To Levi Sterling,.....	\$2,857 28
Li J. Farwell,.....	2,960 00
J. P. McGregor,.....	785 60

Making a total of.....\$6,602 88

These comparative statements, taken from the data we have referred to, advise us that but little reliance can be placed in the figures furnished by the commissioners in their several annual reports.

The statement of the Secretary of State also shows the following named payments, in addition to those hereinbefore named, to wit:

Joseph Parkins,.....	\$6,967 89
State Bank,.....	5,000 00
Dane County Bank,.....	6,182 34
Neal Howie,.....	956 00
Dutcher & Brownell,.....	478 80
Sundry accounts for publishing, stationery and other incidental expenses,.....	754 88
Trustees appropriation of 1859,	8,000 00

Making in all as before stated,.....\$115,108 37

3.—*The present condition of the Establishment.*

The progress of the buildings towards completion is so well known to the gentlemen composing the Assembly, most of whom have visited them since the appointment of your committee, that it is deemed unnecessary to go into details as to the progress of the same towards completion: but will give our views in regard to the buildings, which consist of main building, one longitudinal and one transverse wing.

Our objection to the main building, in view of its adaptation for the purpose the law contemplates in providing an Insane Hospital, are numerous and radical.

It is indeed a very imposing structure, and its interior arrangements are in keeping with its outside appearance. The length thereof is 122 feet, and the width 65 feet. Its height, above the basement story, is fifty-two feet, and this is arranged in four stories: first story 12, second 15, third 13, and fourth story 12 feet in height. There runs the whole length of the two lower stories, *splendid* halls, sixteen feet in width, and taking up one fourth of the space therein. A room 65 feet long, 40 feet wide, and 25 feet high, occupies one end of the two upper stories, and halls, in keeping with those before named, 16 feet wide, occupy just one-fourth of the balance of said stories.

The balance of the building is divided into rooms in keeping with the halls, are eminently fitted for the occupancy of the officers and domestics of the institution. This building, as a whole, is well calculated to impress visitors with the vast wealth of our State, and liberality of our citizens. The wings are quite too much in keeping with the main building, but it is due the Commissioners to say they have therein made some attempt at providing for a portion of the insane of our State.

The "*subterranean passages*"—the steam fixtures—the large amount of iron pipe—the gas tank and fixtures—are all on an extensive scale, and your committee are impressed with the grandeur that pervades them all. Of their merits we cannot speak; but hope they will answer the purpose designed.

A serious objection occurs to your committee in the expense of running them and the danger of their getting out of repair.

Fourth—The amount of money necessary to its completion.

—The amount of money required to finish the buildings now in process of erection is \$43,839 81.

This estimate is based on computations made by the commissioners, or the architect by them employed, but the opinion of the committee is, that the amount will not be sufficient.

Any changes that may be made to adapt the main building

to the uses of the insane, must necessarily add to the cost of its completion, but to what extent your committee are not advised.

5th—*The time when it may be ready for occupation.*

To render the present buildings of much practical utility, will require, in the opinion of your committee, great changes in the internal arrangements; and when the same can be made ready for occupancy, we regret to say, is an unsolved problem, depending upon the directions of the Legislature in completing the buildings, making the necessary appropriations, and enactments of law to carry out their wishes.

The present buildings, as now planned, *might be* finished by the first of May; but unless essentially modified, would be nearly useless for all practical purposes.

6th.—*“What number of patients it can accommodate when complete.”*

On this subject there is much conflict of opinion. The trustees, in their report for 1859, page 7, state “that if the present building should be occupied in the precise manner, and for the exact purpose, designed in the plan, it would afford accommodation for thirty-two patients.” They also state, upon the information of Dr. Lee, “That it is possible to divert some portions of the building from their *legitimate* purpose, and occupy them temporarily with patients.”

What the Trustees or Dr. Lee, whom they quote in the foregoing paragraph, may understand to be the “*legitimate purpose*” of the buildings now under consideration, your committee are at a loss to understand; we supposed that said buildings in all their purposes and appointments, were designed for the use and occupancy of the unfortunate insane in our State, and that any portion thereof used or occupied for any other purpose would be a diversion of so much of said buildings, so occupied.

We make a note of this peculiar feature of this so called “Trustees’ Report,” but which is, in fact, as appears by the statements of Messrs. Farwell and McGregor, a document prepared by this veritable Dr. Lee himself, whose important services to the institution and the State, are therein so unblushingly paraded before our wondering senses; and which report, so prepared, the Trustees good-naturedly signed.

Whether the number of patients to be accommodated in this Hospital be that fixed by said report, or the increased number which might be *illegitimately* accommodated, as suggested by Dr. Lee, is, to the minds of your committee, a matter of little consequence; the great purposes of the Institution are not, in

either event, subserved. A greater number of patients could be accommodated, and at less expense, by sending them to institutions in other States, than it will cost to carry on our own Institution at the expense indicated, and with the limited number it is designed to accommodate.

With due deference to the trustees and Dr. Lee, it is nevertheless the opinion of your committee, that the present buildings can be so arranged as to accommodate, in a perfectly *legitimate* manner, at least 120, and if the exigencies of the case required, 150 patients. This, however will require the re-modelling of the internal arrangement of the main building, and it may also be necessary to erect a house for the superintendent and his family, which latter should not involve an expenditure exceeding \$3,000.

7.—*Whether the plan adopted and pursued is in accordance with the organic law.*

Section 6, of the organic law reads as follows: "The aggregate cost of said institution, with the location, shall not exceed, when completed, the sum of one hundred thousand dollars; and in determining the plan to be adopted, the said commissioners shall in no event, provide for a greater expenditure than the aforesaid sum; and all contracts that shall involve a greater sum, shall be null and void."

In the opinion of your committee this provision of law is too plain and explicit to be misunderstood. The subject of providing a suitable building for the use of the insane of our State, was not new to the Legislature of 1857. They evidently had in their minds eye, the previous action of our State authorities, on that subject; they had the law of 1854, and all that was pretended to be done under that law, fully before them; they knew the plans of the buildings then proposed to be erected, with everything connected therewith, had been repudiated by the Legislature and people of this State, because of the immense outlay of money necessarily involved in carrying out those plans.

Your committee therefore state, that in their judgment the law above quoted was intended to, and does, in most explicit terms, confine the commissioners to some plan of a building which, when completed, together with the cost of location, should not exceed one hundred thousand dollars, and could never have been understood to authorize an incomplete or unfinished building—at the cost therein fixed and limited—much less do your committee believe the Legislature of 1857, could have imagined that under the stringent provisions of the law we have quoted, they were authorizing the ruinous expenditure of the

hard earned taxes necessary to the erection of a building on the identical plan which had been so emphatically repudiated by the people, and the Legislature. Hence, your committee feel no hesitation in saying that the plan adopted and pursued by the commissioners, in erecting the buildings in question, is not in accordance with the letter or spirit of the organic law.

We believe the Legislature intended to say, by the law of 1857, to the commissioners and to all others: "There is in this State, a large number of unfortunate insane. Humanity demands that we should restore to reason those that can be cured, and provide comfortable accommodations for them all. Once we were deceived in this lunatic asylum matter, *now*, that there may be no mistake or doubt, we fix the amount, beyond which you cannot go, and we warn all persons that any contract beyond that sum is at the contractor's peril. The State of Wisconsin is a new State; the people are rich in the *will* and the *ability*, to labor; but they are *not* rich in money. We want a building for *use*, and one hundred thousand dollars will be ample to complete such a building—plain, substantial, befitting the position of our State and the ability of its citizens."

The appointment of the commissioners by Governor Bashford, was entirely satisfactory to the people, and relying with too much confidence on their high character, as men, their acts were not scanned by the people and the Legislature as closely as they should have been.

We do not think the commissioners intended to do anything corrupt or dishonest; but in the opinion of your committee they sadly erred in judgment.

"8th.—By what authority the law has been departed from."

In answering this inquiry, your committee would say that we have not heard it claimed by the commissioners, or in their behalf, that the law authorized the structure they have erected—we understand them to say, however, that so much of section 7, of chapter 94, of Session Laws of 1857, providing as follows: "They (the commissioners) are hereby authorized to appoint one of their number for that purpose to visit either or all of the following institutions, to wit: The Michigan State Asylum, at Kalamazoo; the Utica Asylum, New York; and the Northampton Asylum, Mass.;" authorized them to adopt the plan of those institutions. This is all the authority we have heard claimed by the commissioners in this behalf. From this conclusion of the commissioners, your committee entirely dissent. We think the statute referred to, in particular, and the intent and meaning of the entire law under which they were supposed to be acting, intended that they might and should use their

privilege of visiting, at the expense of the State, the institutions therein named, and glean therefrom such information as would enable the commissioners to adopt some practical plan of a building, which when completed, with the location should not exceed the sum of one hundred thousand dollars.

9th.—*Any other facts relating to said Institution or its management, as may be important to the Legislature.*

It is scarcely necessary for your committee to say, in concluding this report, that, in their judgment, the reasonable expectations of the people of the State in relation to this Hospital for the Insane, are sadly disappointed—that the plan adopted by the Commissioners necessarily involves in its completion, an expenditure of money which, in our embarrassed condition, we are wholly unable to provide—that aside from the plan itself, your committee are constrained to say that, in their opinion, this building has been so managed in its erection as to cost the people of the State much more than it should have done. This, the Commissioners say, is mainly owing to the failure of the contractor. By reference to section 10, chapter 64, laws of 1857, it will be seen that it became and was the duty of the Commissioners to reserve *twenty per centum of the monthly estimates from the contractor, until the completion of the work, as security for the faithful performance of his contract to the State.* In the Commissioners' report for the year 1857, they inform the Governor that on the first day of September for that year, they entered into a contract with Nelson McNeal, of Portage, for building the central or main building, one longitudinal and one transverse wing, for the sum of \$73,500. Your committee have not seen the McNeal contract referred to in this report; but presume its terms are such as contemplated in and by section 10 aforesaid, reserving the twenty per cent. upon monthly estimates, until the building should be completed. If this be so, the Commissioners had but to observe the law and the contract made by them on behalf of the State, to have secured to the State the building they have erected at the cost for which it was contracted, *to-wit*, \$73,500. The reservation of twenty per cent. on estimates was evidently designed by the law to protect the State against the failure of an irresponsible contractor.

In connection with the subject we are considering, it is difficult to say what particular matter or thing may or may not be "important" to the Legislature; but, in the opinion of your committee, it is their *duty* to say, that much of the doings of the commissioners have been in total disregard of the law, and *their duty* under the law. They report \$278 paid to attorneys,

when the State has a law officer elected by the people, from whom they should have sought advice. \$50 paid to Dr. J. Edwards Lee, consulting in reference to plans—when it was the duty of the Architect and Superintendent to have furnished those plans, and that he might do so understandingly, the State paid him \$170 to make an eastern tour, to examine the subject.

Several hundred dollars have been paid for livery hire to accommodate officers and others visiting the site of this intended Hospital. These and other extraordinary expenditures have been incurred by the commissioners, which we record in the discharge of our, by no means pleasant, duty, believing as we do, that it will be interesting to this Legislature and the people to know, that attention is being directed to the doings, great and small, of all the agents of the State who disburse its moneys.

Your committee have been instructed by joint resolution to act in conjunction with the Senate committee, upon matters pertaining to this subject, and therefore close this report without any specific recommendation.

Respectfully submitted.

MARTIN MITCHELL,
ANDREW E. ELMOEE,
ROMANZO BUNN,
LEON. M. SCHMIDTNER,
JOHN PHILLIPS.

The committee on Agriculture and Manufactures, to whom was referred bill

No. 446, A., entitled a bill for an act for the protection of orchards and fruit trees;

And,

Mem. No. 294, A.,

Accompanying the same, have had the same under consideration, and have instructed me to report the bill with a substitute, and recommend the passage of the substitute.

B. H. BETTIS, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to request the Assembly to return to the Senate,

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

Said bill was ordered to be returned to the Senate accordingly.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER :

I am directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 57, S., a bill authorizing the city of Hudson to issue bonds.

No. 213, S., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases, and to change the time for the annual distribution of the school fund income.

No. 257, S., a bill for an act to authorize the holding of a special term of the circuit court in and for the county of Jefferson.

M. C. No. 4, S., memorial to the post office department relative to increase of service on mail route 13,069.

And further to inform you that the Senate has concurred in the passage of, with amendments,

No. 125, A., a bill for an act to make certain records in Brown county, evidence in certain cases.

No. 165, A., a bill for an act to incorporate the village of Pepin.

No. 261, A., a bill for an act to amend chap. 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the 3d judicial circuit to hold special terms of the circuit court."

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county.

The Senate amendment to

Nos. 125, 165 and 261, A.,

Were concurred in.

No. 291, A.,

Was referred to the Winnebago county delegation.

M. C. No. 4, S.,

And,

Nos. 57 and 257, S.,

Were read first and second times,

And placed on the general file.

No. 243, S.,

Was read first and second times,

And the rules suspended;

Read a third time and concurred in,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Clise, Cole, Colcs, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Hammarquist, Hartung, Jackson, Kiefer, Kingsbury, Mackay, Miller, Mulholland, Neville, Phillips, Rankin, Robertson, Seaton, Simpson, Spottswood, Sumner, Sutton, Weage, Westby, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Barden, Bettis, Brooks, Bunn, Child, DeWolf, Dockry, Griswold, Horton, Howland, Humann, Judd, Keogh, Langland, Lewis, Mitchell, Moore, Ordway, Palmer, Ruan, Smith, Stannard, Upson and Wescott—24.

SENATE MESSAGE,

Taken up.

The Senate amendments to

No. 14, A., a bill for an act to authorize person having a lien upon land to pay the taxes upon the same;

No. 157, A., a bill for an act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company, of the city of Madison," approved March 19, 1859;

And

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856;

Were concurred in.

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 30, S., a bill for an act to provide for the service of process on non-residents defendants in certain cases;

No. 123, S., a bill for an act to repeal chapter 48, of the General Laws of 1858, entitled an act to amend section 5, of chapter 121, of General Laws of 1856, entitled an act concerning railroads;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

No. 168, S., a bill for an act to repeal sections 1, 2, 3, 4, 5, 6 and 7, of chapter 79, of the Revised Statutes, entitled, of railroads:"

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$146 75;

Mem. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie Boardman and Hammond, to Warren;

No. 85, S., a bill for an act to regulate and license the keeping of dogs;

No. 147, S., a bill for an act, entitled "an act to consolidate and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereto;"

No. 135, S., a bill for an act to amend charter of the Kenosha, Rockford and Rock Island Railroad Company;

No. 150, S., a bill for an act to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation, by deed, of the proof and recording of conveyances, and canceling of mortgages;"

No. 180, S. a bill for an act amend an act, entitled "an act to annex certain territory to the town of Hudson;"

Were read the first and second times.

Mem. No. 3, S., and No's. 128, 135, 196 and 207, S.,

Were placed on general file.

No's. 30 and 150, S.,

Were referred to the committee on the Judiciary.

No's. 123 and 168, S.,

Were referred to the committee on Railroads.

No. 180, S.,

Was referred to the committee on Town and County Organization.

No. 147, S.,

Was referred to Mr. Bouck.

No. 85, S.,

Was referred to select committee under Res. No. 22, A.

The rules having been suspended,

On motion of Mr. Phillips,

The following bills were considered,

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon,

And

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's Dictionary for the supply of deficient school districts of the State;

Whereupon,

No. 221, S.,

Was concurred in, and

No. 114, S.,

Was concurred in, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bettis, Beath, Bovay, Boyd, Brooks, Bunn, Child, Clise, Cole, Coles, Dickson, Goodwin, Holton, Horton, Humann, Hunkins, Jackson, Kiefer, Langland, Mitchell, Mul-

holland, Munn, Neville, Patchin, Phillips, Rankin, Robertson, Smith, Sumner, Weage, Wescott, Wheeler, Whittlesey, Wiley, Wood, Young and Mr. Speaker—44.

Those who voted in the negative were

Messrs Bouck, Bow, Dockry, Fairchild, Howland, Judd, Keogh, Kingsbury, Lewis, Moore, Ordway, Palmer, Rogers, Ruan, Seaton, Simpson, Spottswood, Stannard, Sutton and Upson—21.

BILLS READY FOR A THIRD READING.

The following bills were severally read the third time and passed:

The amendments to

No. 189, A., a bill for an act to authorize the towns, cities and villages of the county of Dodge to retain license money in their town, city and village treasuries;

Were concurred in.

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire county, to the mouth of Hay River, in Dunn county;

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank;

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg Plank Road Company;

No. 334, A., a bill for an act to amend an act entitled "an act to incorporate the Peshtigo Lumbering and Manufacturing Company," approved October 16, 1856, and the amendments thereto;

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock;

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

No. 370, A., a bill for an act to incorporate the Thiensville Fire Engine Company;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled "of arrest and bail;"

No. 394, A., a bill for an act to authorize the board of trustees of the village Viroqua, Bad Ax county, to levy a tax;

No. 403, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

No. 410, A., a bill for an act to appropriate to Seth M. Van Bergen the sum of \$765 83;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Child, Clise, Cole, Coles, DeWolf, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Horton, Howland, Humann, Jackson, Keogh, Kiefer, Langland, Lewis, Mackay, Miller, Mitchell, Mulholland, Munn, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—66.

Those who voted in the negative were

Messrs. Elmore, Ruan and Westcott—3.

No. 411, A., a bill for an act to appropriate to Thos. McFarland, the sum of \$81 75 ;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Child, Clise, Cole, Coles, DeWolf, Fairchild, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Horton, Howland, Humann, Jackson, Keogh, Kiefer, Langland, Lewis, Mackay, Miller, Mitchell, Mulholland, Munn, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—66.

Those who voted in the negative were

Messrs. Elmore, Ruan and Westcott—3.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The amendments to

No. 348, A., a bill for an act to provide for the proper burial of the dead.

No. 406, A., a bill for an act to incorporate the Delavan Academy ;

No. 32, A., a bill for an act to change the name of Archy Annette, and to constitute him an adopted son of William and Mary Collins ;

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county ;

No. 383, A., a bill for an act to amend the act entitled " an act to consolidate and amend the act to incorporate the city of

Milwaukee, and the several acts amendatory thereof," approved February 20, 1852; and to amend the several acts amendatory thereof;

And

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings thereon;"

Were concurred in.

No. 324, A., a bill for an act to amend chap. 132, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscobel and Manhattan Bridge Co.;

No. 359, A., a bill for an act to amend sec. 9, chap. 2, of an act entitled "an act to incorporate the city of Fond du Lac," approved March 19, 1852;

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 24th, 1859;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

No. 416, A., a bill for an act to amend an act entitled "an act to incorporate the city of La Crosse, and the several acts amendatory thereto," approved March 14, 1856;

No. 432, A., a bill for an act to appropriate to Milo Coles, the sum of \$50 98;

No. 433, A., a bill for an act to appropriate to G. D. Norris, the sum of \$122 45;

No. 443, A., a bill for an act to incorporate the Mequon Farmers' Mutual Insurance Company;

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menominee river;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county;"

No. 384, A., a bill for an act to amend section 23, of chapter 140, of the Revised Statutes, entitled "miscellaneous proceedings in civil actions, and general provisions;"

No. 11, A., a bill for an act to legalize the sale of lands for especial taxes in Douglas county;

And

No. 280, A., a bill for an act to legalize the assessment of taxes, in the county of LaPointe, and to extend the time of payment;

Were ordered engrossed for a third reading;

No. 76, S., a bill for an act to amend an act approved March

11, 1859, entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855;

And

No. 105, S., a bill for an act to amend chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;"

Were ordered to a third reading.

The Assembly refused to order to a third reading;

No. 60, a bill for an act to authorize the Citizen's Bank of Oshkosh to remove to Black River Falls, Jackson county;

The enacting clause to

No. 181, A., a bill for an act entitled an act of the registration of births, marriages and deaths;

Was stricken out.

No. 123, A., a bill for an act to strike certain territory from the county of La Fayette, and attach the same to the county of Iowa;

No. 244, A., a bill for an act to authorize school district No. 1, town of Cassville, Grant county, to borrow money to build a school house;

No. 379, A., a bill for an act for town and school organization in the county of Clark;

And,

No. 419, A., a bill for an act to extend the time for the payment of interest due the school fund of this State, on school, university and swamp lands;

Were indefinitely postponed.

No. 139, S., a bill for an act relating to the duties of register of deeds;

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal sec. 36, of chap. 165, of the Rev. Statutes, entitled "of offences against property;"

No. 221, A., a bill for an act to incorporate religious societies;

And,

No. 368, A., a bill to facilitate the collection of judgements;

Were referred to the committee on the Judiciary.

No. 218, S., a bill for an act to amend chap. 104, of the Private and Local Laws of 1858, relating to a certain State road therein named;

Was referred to the Manitowoc delegation.

No. 376, A., a bill for an act to repeal chapter 186, of the Private and Local Laws of 1859, entitled "an act to divide the town of Shields in the county of Dodge, and annex a portion of said town to the town of Lowell, in said county;"

Was referred to the Dodge and Jefferson county delegations.

No. 418, A., a bill for an act to amend an act to incorporate the village of Waterloo;

Was referred to the Jefferson county delegation.

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

Was referred to committee on Roads, Bridges and Ferries.

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Company;" approved March 2, 1857;

Was referred to committee on Incorporations.

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

Was referred to the committee on Ways and Means.

No. 872, A., a bill for an act to authorize the Commissioner of School and University Lands to refund certain sums of money to Joseph Goldsmith;

Was referred to the committee on Claims.

On motion of Mr. Judd,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,

Mr. Keogh, in the chair;

After some time spent therein the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same; and asked leave to sit again;

Leave was granted.

No. 181, S., a bill for an act to amend chapter 22, of the Revised Statutes, entitled "of academies and normal schools;"

And

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay;

With recommendation that they do pass.

No. 398, A., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases;

With recommendation of indefinite postponement.

No. 364, A., a bill for an act to amend section 55, of chap-

ter 22, of the General Laws of 1859, relating to fees of county officers;

With recommendation that the enacting clause be stricken out.

No. 389, A., a bill for an act to authorize the several wards of the city of Appleton to organize a fire company;

With recommendation of reference to committee on Incorporations.

No. 142, S., a bill for an act to amend section 1, of chapter 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county;"

With a substitute.

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

With amendment.

Messrs. Barnum, Hartung and Simpson were granted leave of absence for two days.

REPORT.

The joint committee on Enrolled Bills report that on the 9th inst., they presented to the Governor for his approval, the following bills:

No. 35, A., an act to change the name of Lucy Bell, and to establish her guardianship and heirship.

No. 436, A., an act to amend chap. 131, of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Mineral Point;"

No. 306, A., an act for the relief of Sheboygan county.

GEO BENNETT, *of Senate.*

C. MILLER, *of Assembly.*

On leave,

Mr. Goodwin introduced;

Res. No. 115, A.;

Resolved, That when the Assembly adjourns to-morrow, it adjourn at 9 1-2 o'clock A. M., until Tuesday morning, at 10 o'clock, A. M., and that thereafter no leave of absence shall be granted to any member, except a good and sufficient reason be shown therefor; and further, if any member is absent from any regular session after Tuesday next, without leave granted, shall be subject to a fine of \$5 00 for each and every day of such absence;

Mr. Goodwin moved to suspend the rules, for the purpose of considering said resolution;

Pending which

Mr. Judd moved to adjourn;

The ayes and noes were called for and ordered

And the Assembly refused to adjourn by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Bo-vay, Bow, Boyd, Olise, DeWolf, Golden, Hammarquist, Jackson, Munn, Rankin, Ruan and Sutton—16.

Those who voted in the negative, were

Messrs. Alden, Baldwin, Barden, Bettis, Bouck, Brooks, Bugh, Bunn, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Goodwin, Green, Griffin, Griswold, Grover, Hartung, Hayden, Hesk, Holton, Howland, Humann, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Mitchell, Moore, Mulholland, Neville, Ordway, Palmer, Patchin, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wescott, Whit-
tlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—58.

On motion of Mr. Palmer;

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Assembly met.

The Speaker in the chair.

The question being upon the suspension of the rules for the consideration of

Res No. 115, A.,

The motion prevailed.

Mr. Munn moved to strike out all after the words "10 o'clock, A. M."

Which was agreed to.

Mr. Bouck moved to amend by adding, "and that all railroad companies in the State are hereby required, from and after Thursday next, to suspend all free passes to members upon their respective roads until within three days of the close of the session;"

Mr. Sumner moved to lay the whole matter on the table;

Which was not agreed to.

Ma. Smith moved to adjourn;

Which was not agreed to.

Mr. Bouck's amendment was then, on leave, withdrawn.

Mr. Horton moved to strike out "Tuesday morning, at ten o'clock, A. M.," and insert "3 o'clock, P. M., on Monday."

Mr. Elmore moved to amend the amendment by striking out "Monday," and inserting "Tuesday;"

Which was lost.

Mr. Horton's amendment was then lost.

Mr. Sumner moved to strike out "9 1-2" and insert "1 P. M."

Mr. Elmore moved to amend the amendment, by striking out "1 P. M." and inserting "10 A. M."

Which was agreed to,

And the question recurring on the passage of the resolution as amended,

The ayes and noes were called and ordered,

And the resolution was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Ahlhauser, Alden, Blackman, Bow, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Hartung, Hayden, Hesk, Holton, Humann, Hunkins, Keogh, Kingsbury, McMichael, Mitchell, Palmer, Patchin, Robertson, Rogers, Ruan, Simpson, Stannard, Sutton, Weage, Westby, Wescott and Whiting—33.

Those who voted in the negative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bouck, Bovay, Boyd, Brooks, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dickson, Farwell, Griswold, Hammarquist, Horton, Howland, Jackson, Judd, Kiefer, Langland, Lewis, Mackay, Miller, Moore, Mulholland, Munn, Neville, Ordway, Phillips, Rankin, Seaton, Smith, Spottswood, Sumner, Townsend, Upson, Wheeler, Whittlesey, Wiley, Winter, Wood, Young, and Mr. Speaker—49.

On motion of Mr. Hayden,

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee;

Was taken from the table and ordered engrossed for a third reading.

On motion of Mr. Humann,

The vote by which the Assembly this morning passed

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Was reconsidered.

On motion of Mr. Rankin,

The vote by which the Assembly this morning refused to order to a third reading,

No. 60, S., a bill for an act to authorize the Citizen's Bank, Oshkosh, to remove to Black River Falls, Jackson county;

Was re-considered, and

Said bill was ordered to a third reading.

BILLS REPORTED BY COM. OF THE WHOLE.

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

The amendment reported was agreed to,
And the bill ordered to be engrossed.

No. 393, A., a bill for an act to authorize the commissioners of school and university lands to remit penalties in certain cases;

Was indefinitely postponed.

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay;

Was ordered to be engrossed.

The enacting clause of

No. 364, A., a bill for an act to amend section 55, of chapter 22, of the General Laws of 1859, relating to the fees of county officers;

Was stricken out.

No. 181, S., a bill for an act to amend chapter 22, of the Revised Statutes, entitled "of academies and normal schools;"

Was ordered to a third reading.

The substitute reported to

No. 142, S., a bill for an act to amend section 1, of chapter 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county;

Was adopted, and the bill ordered to be engrossed.

No. 389, A., a bill for an act to authorize the several wards of the city of Appleton, to organize a fire company;

Was referred to the committee on Incorporations.

On motion of Mr. Palmer,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE.

Mr Holton in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills, with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 40, A., a bill for an act to extend the time for the payment of principal upon school and university land certificates;

No. 139, A., a bill for an act to provide for the reassessment

of certain taxes in the city of Milwaukee, for the years 1856 and 1857 ;

No. 232, A., a bill for an act to amend sec. 9, of chap. 109, of title 21, of the Revised Statutes, entitled " of marriage ;"

No. 32, A., a bill for an act to provide for the expenditure of the drainage fund moneys in the county of Marathon ;

No. 410, a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society, for the year 1856 ;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts ;

And

No. 416, A., a bill for an act for the protection of orchards and fruit trees ;

With amendments.

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove ;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions ;

No. 425, A., a bill for an act to amend section 11, of chapter 110, of the Revised Statutes, entitled " of the registration of marriages and deaths ;"

No. 431, A., a bill for an act concerning the coupons of the Capitol extension bonds, issued by the city of Madison ;

No. 435, A., a bill for an act to amend an act entitled " an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same," approved March 25th, A. D. 1858, and all acts amendatory of said act ;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company ;

No. 450, A., a bill for an act to authorize commissioners to vacate a certain territorial road in the county of Waukesha ;

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges ;

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's Mill, in Manitowoc county, to the town of Culmet, in Fond du Lac county ;

No. 426, A., a bill for an act to amend section 21, of chapter 134, Revised Statutes, entitled " of executions, and proceedings supplemental thereto ;"

No. 463, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$12 50 ;

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 15 ;

No. 465, A., a bill for an act to provide for laying out a

State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

M. C. No. 3, S., memorial to Congress for a mail route from the city of Hudson, St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman, Hammond to Warren;

M. C., No. 4, S., memorial to the Post Office department relative to increase of service on mail route 13,069;

No. 57, S., a bill authorizing the city of Hudson to issue bonds;

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 135, S., a bill for an act to amend the charter of the Kenosha, Rockford and Rock Island Railroad Company;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$433;

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$446 75;

No. 257, S., a bill for an act to authorize the holding of a special term of the circuit court, in and for the county of Jefferson;

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake;

No. 178, S., a bill to amend an act entitled "an act to amend chap. 299, of the Private and Local Laws of the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Co.;"

No. 385, S., a bill for an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river, in said county;

And

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

Without amendment.

No. 256, A., a bill for an act relating to repairs of plank roads in the county of Outagamie;

With recommendation that it be indefinitely postponed.

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital and remove its place of business;

With amendments, and a recommendation that the rules be suspended, and the bill put upon its passage.

No. 439, A., a bill for an act to amend section 18, of chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

With the recommendation that the enacting clause be stricken out.

On motion of Mr. Elmore,

The Assembly adjourned.

SATURDAY, MARCH 10, 9 o'clock, A. M

The Assembly met.

The Speaker in the chair.

On motion of Mr. Mulholland,

The reading of the journal of yesterday was dispensed with.
Messrs. Weage and Westby were granted leave of absence until Monday next, at 3 P. M.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred:

By Mr. Howland:

Mem. No. 299, A., remonstrance of J. V. Quarles, and 77 others against any change in the laws relative to schools in the city of Kenosha;

And

Mem. No. 300, A., of C. E. Hill and 151 others, for a change in the laws relative to schools in the city of Kenosha;

And

Mem. No. 301, A., of Edward Bailey and 174 others, for a change in the laws relative to schools in the city of Kenosha;

And

Mem. No. 302, A., of S. T. Brand and 27 others for a change in the laws in relation to schools in the city of Kenosha;

Which were severally referred

To Committee on Education.

By Mr. Baldwin:

Mem. No. 303, A., remonstrance of James Nield and oth-

ers, against changing the towns Orwell, Caledonia and Mount Pleasant, in the county of Racine;

To committee composed of the Racine delegation.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Smith:

No. 74, the account of O. G. Scofield.

By Mr. Wescott:

No. 75, the account of E. Wescott.

RESOLUTIONS INTRODUCED.

By Mr. Ruan:

Res. No. 116, A.;

Resolved, That the Superintendent of Public Property furnish to each member of this Assembly, six dollars in postage stamps; three dollars of said amount in three cent stamps, and three dollars in one cent stamps;

Which lies over.

By Mr. Holton:

Res. No. 117, A.;

Resolved, That when this house adjourns, it do so at 01 o'clock, this morning, to meet on Tuesday morning next, at 10 o'clock;

Mr. Smith moved to amend by striking out "Tuesday, at 10 o'clock," and insert "Monday, at 3 o'clock;"

Which was agreed to.

Mr. Bouck moved to lay the whole matter on the table;

Which was agreed to, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Bettis, Beath, Bouck, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Cole, Coles, Farwell, Griswold, Hammarquist, Horton, Howland, Jackson, Judd, Kingsbury, Lewis, Moore, Munn, Nash, Neville, Ordway, Patchin, Phillips, Seaton, Simpson, Spottswood, Sumner, Townsend, Wheeler, Wood and Young—39.

Those who voted in the negative were

Messrs. Alden, Barden, Blackman, Bovay, Bow, Child, Dickson, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Grover, Hartung, Hesk, Holton, Humann, Hunkins, Johnson, Keifer, Langland, Mitchell, Mulholland, Palmer, Robertson, Rogers, Ruann, Smith, Stannard, Sutton, Weage, Westby, Westcott, Whittlesey, Whiting, Wiley and Mr. Speaker—37.

By Mr. Munn:

Res. No. 118, A.;

Resolved, That the Secretary of State be and hereby is respectfully requested to communicate to the Assembly the amount of premium received by the foreign Life and Fire Insurance Companies in this State, and also the amount of losses paid by the same, during the year ending January 1, 1860;

On motion of Mr. Munn;

The rules were suspended,

And the resolution adopted.

By Mr. Sutton:

Res. No. 119, A.;

Whereas, The last statistics which have been furnished by the commissioners of emigration, show a decrease in foreign emigration into this country, for the last two years, of several thousand, and the vast territory which lays yet unsettled between Lake Michigan and the Pacific Ocean, it seems eminently proper that measures should be taken for the settlement of that portion of our public domain, not only with the view of developing the mighty resources of that vast territory, but also for the purpose of protecting our western frontier from the invasion of a foreign foe;

Be it therefore

Resolved, that the Legislature do enact a law that all white male persons, under the age of twenty-eight years, shall not be deemed eligible for a seat in this house, who will not be married men; and further more, that a tax of ten dollars and upwards shall be laid upon all white male persons of that age who may remain single after the passage of such an act; said tax shall be applied toward the support of the poor, in the several towns in which such old bachelors reside;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Smith:

No. 486, A., a bill for an act to repeal sections 8, 9, 10 and 11, of chapter 94, of the Revised Statutes, entitled "of the sale of lands for the payment of debts by executors, administrators and guardians;"

To committee on Judiciary.

By Mr. Howland:

No. 487, A., a bill for an act to repeal chapter 164, of the

Private and Local Laws of 1859, entitled "an act to provide for the appointment of Superintendent of public schools in the city of Kenosha;"

To committee on Education.

By Mr. Whittlesey:

No. 488, A., a bill for an act to change the time for holding elections in the city of Kenosha;

On motion of Mr. Whittlesey;

The rules were suspended, and No. 488, A., was read a third time and passed;

And the title was agreed to.

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred accounts, No. 72, A., the account of Mosely & Brother, for window curtains;

No. 74, A., the account of Moseley & Brother, for stationery for State;

Have considered the same, and have instructed me to report them back by bill

No. 489, A., a bill for an act to appropriate to Moseley & Brother the sum of \$217 93;

And recommend said bill do pass.

Also,

No. 372, A., a bill for an act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith;

Have had the same under consideration, and report it back with the recommendation that it do pass.

HEBER SMITH, *Ch'n.*

No. 489, A.,

Was read first and second times, and placed on the general file.

The committee on Education School and University Lands to whom was referred

Mem. No. 4, A., of citizens of Walworth county, for an amendment of the common school law;

And,

No. 307, A., a bill for an act to abolish the office of town superintendent of common schools, and create the office of county superintendent of common schools;

Have had the same under consideration, and direct me to report that while there is much merit in the proposition, in the judgment of the committee, and that the time may come when the measure should be adopted; at the present time, however,

considering the sparseness of the population in the majority of the counties of the State, the extended geographical limits of many of these counties, and the unsettled and shifting character of the population, the committee do not think it wise to adopt the measure, and therefore direct me to report these two papers back with the recommendation that their further consideration be indefinitely postponed.

E. D. HOLTON, *Ch'n.*

The committee on Banks and Banking to whom was referred No. 355, A., a bill for an act to authorize the Corn Planter's Bank of Waupaca, Waupaca county, Wis., to reduce its capital and remove its place of business;

Have had the same under consideration and have instructed me to report the same back, and recommend that it do pass.

The same committee has further instructed me to report the bill herewith submitted, entitled

No. 490, A., a bill for the relief the Reedsburg Bank;

And recommend that it do pass.

WM. GRISWOLD, *Ch'n.*

The committee on Engrossed Bills respectfully report, that they have examined the following bills, and find them correctly engrossed under Rule 48:

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1858, entitled an act conferring jurisdiction on the county court of Columbia county;

No. 280, A., a bill for an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment thereof;

No. 324, A., a bill for an act to amend chapter 132, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin River, to the Boscobel and Manhattan Bridge company;"

No. 359, A., a bill for an act to amend section 9, chapter 2, of an act entitled "an act to incorporate the city of Fond du Lac, approved March 19, 1852;"

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac;

No. 388, A., a bill for an act to provide the disposal and expenditure of the drainage fund money in Brown county;

No. 416, A., a bill for an act to amend an act entitled "an act to incorporate the city of La Crosse," and the several acts amendatory thereto, approved March 14th, 1856;

No. 432, A., a bill for an act to appropriate to Milo Coles, the sum of \$50,98;

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122,45.

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out of a State road from the town Howard, Brown county, to the Menominee river."

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they examined and compared the following bills, and find them correctly engrossed :

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins;

No. 348, A., a bill for an act to provide for the proper burial of the dead;

No. 406, A., a bill for an act to incorporate the Delavan Academy;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank.

M. HOWLAND, *Ch'n.*

The committee on Incorporations, to whom was referred bill

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate Yellow River Improvement Company;" approved March 2d, 1857;

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society, in the city of Fond du Lac;

Have had the same under consideration, and have instructed me to report them severally back without amendment, and recommend their passage.

The committee have also had under consideration

No. 802, A., a bill for an act to vacate certain lots of the village of the "Town of the Island," in Winnebago county;

And beg leave to report the same back to the Assembly without recommendation, and to be discharged from the further consideration of the same;

The committee are, however, clearly of the opinion that the board of supervisors of Winnebago county have power, under subdivision 88, section 28, chapter 13 of Revised Statutes, upon application, to vacate the plat sought to be vacated by this bill, and that the ends sought to be accomplished by the bill, can be attained under general laws.

The committee have also had under consideration

Mem. No. 185, A., petition of L. S. Howe, and others, to repeal chapter 128, of the Private and Local Laws of 1858, entitled an act to incorporate the village of Two Rivers, in the county of Manitowoc;

Also,

Mem. No. 221, A., being a remonstrance by John Oswall, and others, against the repeal of the village charter of Two Rivers;

And have instructed me to report them severally back, and ask to be discharged from the further consideration of the same.

R. BUNN, *Ch'n.*

No. 81, S.,

Was ordered to a third reading.

The committee on Railroads to whom was referred

No. 351, A., a bill for an act entitled an act to incorporate the Green Bay, Milwaukee and Chicago Railroad Company, approved March 13th, 1851, and the acts amendatory thereto;

And have instructed me to report the same back to the Assembly without any recommendation.

The committee has also had under consideration

No. 123, S., a bill for an act to repeal chapter 48, of the General Laws of 1858, entitled an act to amend section 5, of chapter 121, of the General Laws of 1856, entitled an act concerning Railroads;

And have instructed me to report the same back, with the recommendation that the enacting clause be stricken out.

WM. E. WHEELER, *Ch'n.*

The undersigned, a select committee, to whom was referred resolution No. 104, A., requiring said committee to report to this House, on an early day as possible, whether any means were adopted, or any bill framed for the purpose of giving relief to persons who have mortgaged their farms in aid for the construction of the Milwaukee and Superior Railroad;

Beg leave to report that they have taken up the subject matter of the resolution under consideration, and find—

1st. That no action has been taken by the Legislature by bill, in regard to the matter mentioned in such resolution;

2d, That you committee find that investigation was had into the matter of the Milwaukee and Superior Railroad, in the year 1858, as appears in appendix to Assembly Journal of 1858, page 4, *et sequitur* of the report of the select committee, appointed in the year 1858, to investigate the matter of the Milwaukee and Superior Railroad Company.

3. Your committee further state, that they have not deemed

it expedient to go into an original investigation of the affairs of said Railroad Company, but have taken the statements contained in such report, as a basis for their action.

And your committee do report to the honorable, the Legislature, by the bill which is herewith submitted, and recommend the passage of the same.

A. AHLHAUSER, *Ch'n*,
E. SUMNER,
GEO. B. GOODWIN.

Said bill

No. 491, A., a bill for an act to amend chapter 149, of the General Laws of 1859;

Was read first and second times

And placed on the general file.

The Jefferson county delegation to whom was referred

No. 418, A.;

Have had the same under consideration, and report it back with amendments; and when so amended recommend its passage.

HERBER SMITH, *Ch'n*.

Said amendments were adopted,

And said bill ordered engrossed for a third reading.

Mr. Hesk asked leave of absence for Mr. Robertson for ten days;

Objection being made,

And the ayes and noes being called for and ordered,

Leave was granted, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Ballantine, Barden, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Child, Clise, Coles, Dickson, Elmore, Fairchild, Farwell, Golden, Green, Griffin, Grover, Hartung, Hayden, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Judd, Kingsbury, Langland, Mackay, Mitchell, Moore, Mulholland, Munn, Palmer, Patchin, Phillips, Robertson, Ruan, Simpson, Smith, Spottswood, Stannard, Sutton, Townsend, Weage, Westby, Whittlesey, Whiting, Wiley, Young and Mr. Speaker—57.

Those who voted in the negative were

Messrs. Baldwin, Beath, Bouck, Coles, Griswold, McMichael, Nash, Ordway, Rogers, Sumner, and Wood—11.

Mr. Hayden asked leave of absence until Monday;

Objection being made;

The ayes and noes were called for and ordered;

And leave was granted by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Barden, Bettis, Bovay, Bow,

Boyd, Brooks, Bugh, Bunn, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hesk, Holton, Howland, Hunkins, Jackson, Johnson, Kingsbury, Mackay, Mitchell, Munn, Nash, Palmer, Patchin, Phillips, Robertson, Schmitdner, Seaton, Simpson, Stannard, Sutton, Townsend, Weage, Westby, Wescott, Wheeler, Whiting, Wiley, Young and Mr. Speaker—50.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Beath, Bouck, Child, Clise, Cole, Coles, Griswold, Horton, Judd, Kiefer, McMichael, Moore, Mulholland, Neville, Ordway, Rogers, Smith, Spottswood, Sumner and Wood—22.

Mr. Hesk was granted leave of absence for four days.

Mr. Dickson moved to adjourn until 4 P. M., on Monday next.

Which was agreed to, by the following vote—ayes 40, noes 39.

Those who voted in the affirmative, were

Messrs. Alden, Barden, Bovay, Boyd, Bugh, Dickson, Elmore, Fairchild, Farwell, Green, Griffin, Grover, Hartung, Hayden, Hesk, Holton, Humann, Hunkins, Judd, Keifer, Lewis, McMichael, Mitchell, Moore, Palmer, Patchin, Robertson, Ruan, Simpson, Smith, Stannard, Sutton, Townsend, Weage, Westby, Wescott, Whiting and Wiley—40.

Those who voted in the negative, were:

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Bettis, Beath, Bouck, Bow, Brooks, Bunn, Burt, Child, Clise, Cole, Coles, Golden, Goodwin, Griswold, Hammarquist, Horton, Howland, Jackson, Johnson, Keogh, Kingsbury, Langland, Mulholland, Munn, Nash, Neville, Ordway, Rogers, Seaton, Spottswood, Sumner, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—39.

And the Assembly adjourned.

MONDAY, March 12, 4 o'clock, P. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Mason officiated as chaplain.

On motion of Mr. Humann,

The reading of the journal was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Speaker:

SECRETARY'S OFFICE,
MADISON, March 10, 1860.

HON. W. P. LYON, *Speaker of the Assembly*:

SIR: I have the honor to acknowledge the receipt of Resolution No. 68, A., requesting information of the amount paid during the years 1858 and 1859, for the printing of the Governor's Message, and other documents, and Resolution No. 70, A., requiring me to report the amount paid from the State treasury for the benefit of the State Historical Society, since its organization—the amount claimed by the State Printer for printing the society's report for the year 1859, and whether the State has any legal interest in, or control over, the collections and property of such society.

Statements enclosed herewith, marked "A." and "B," are submitted as answering the inquiries conveyed by resolution No. 68. These show in detail the amounts paid for printing each document, in each year, so far as thus appears on the books of this office.

The aggregates are as follows:

Year.	English.	German.	Holland.	Norwegian.	Total.
1858,.....	\$13,630 41	\$8,148 75	\$4,800 00	6,570 00	\$33,149 16
1859,.....	29,330 72	2,220 00	280 00	240 00	32,070 72
Total,	\$42,961 13	\$10,368 75	\$5,080 00	\$6,810 00	\$65,219 88

It is proper to remark that a portion of the printing in 1858, was settled and paid by direct appropriation of the Legislature, and that very few of the appropriation bills, especially for printing, filed in this office, are accompanied by the accounts for which the appropriations were made. Hence it is impossible to know for certainty that some items are not omitted from the statement for 1858. But it is believed to be full.

Statement herewith, marked "C." exhibits the amount paid out of the Treasury for the benefit of the State Historical Society, from its organization to January 1, 1860, as shown by the books of the Secretary's office. The whole amount is twelve thousand six hundred and thirteen dollars and sixty-four cents, (\$12,613 64.) There is also noted a further expenditure of twenty thousand and thirty-seven dollars and ninety-nine cents (\$20,037 99,) for printing the annual report of 1857, in English and various foreign languages, by order of the Legislature.

The State Printer has not, as yet, presented his account for printing the Society's Report, for the year 1859; and he objects to furnishing me with information of the amount of his claim therefor, to be communicated to the Legislature, in advance of rendering his account for auditing. The sum of five hundred dollars (\$500 00) has been audited and paid to Messrs. Bliss, Eberhard & Festner, by assignment of the account from the State Printer, for binding, the two thousand copies of the report of 1859, authorized by section 4, of chapter 81, of the Revised Statutes.

In reply to the third inquiry propounded by your resolution, I have to say, that I do not find that the State has any "legal interest in, or control over, the collections and other property of such Society," beyond the restriction upon the freedom of the Society to dispose of its effects, imposed by section 3, of chapter 81, of Revised Statutes; which provides that the Society shall not make any sale, transfer, or other disposition of its property, or any part thereof, without the consent of the Legislature. Whether this be a just interest and control for the State to retain in property it defrays the expense of collecting and caring for, to the extent of the very liberal scale of appropriations set forth in the statement submitted, is a question in my judgment, inviting consideration by the Legislature.

I have the honor to remain, very respectfully,

Your ob't servant,

L. P. HARVEY,
Secretary of State.

A.

Statement of Amounts paid for printing Reports in 1858:

	English.	German.	Holland.	Norwegian.	Total.
Secretary of State's Report,	1,538 84	.....	.....	.....	1,538 84
State Treasurer's.....do..	424 08	.....	.....	.....	424 08
Bank Comptroller's.....do..	682 89	.....	.....	.....	682 89
Sup't Pub. Instruction.....do..	237 78	.....	.....	.....	237 78
Coms. S. & U. Lands.....do..	218 56	.....	.....	.....	218 56
Coms. Insane Hospital.....do..	99 74	.....	.....	.....	99 74
Institute for Blind.....do..	597 66	.....	.....	.....	597 66
Regents University.....do..	843 68	.....	.....	.....	843 68
State Hist'l Society* ..do..	5,701 18	6,168 75	4,800 00	5,250 00	21,919 91
Land Grant Investigt'n do..	3,286 54	1,980 00	.....	1,320 00	6,586 54
Total,	18,630 41	8,148 75	4,800 00	6,570 00	38,149 16

*NOTE.—In this item is included the sum of \$1,881 92, being the amount paid for printing 2,000 copies of the Third Annual Report of the State Historical Society in the English language, for the use of the Society.

B.

Statement of amounts paid for printing Reports in 1859:

	English.	German.	Holland.	Norwegian.	Total.
Governor's Message,.....	987 01	180 00	.....	.....	1,167 91
....do.....do & Docs.	6,418 79	.....	.....	.....	6,418 79
Secretary of State's Report,	1,874 00	480 00	.....	.....	2,354 00
State Treasurer's.....do..	591 00	360 00	.....	.....	951 00
Bank Comptroller's.....do..	3,213 78	.....	.....	.....	3,213 78
Sup't Pub. Instruction.....do..	3,518 00	480 00	160 00	.....	4,158 00
State Prison Com.....do..	1,620 12	.....	.....	.....	1,620 12
Coms. S. & U. Lands.....do..	1,250 29	360 00	.....	.....	1,610 29
Adjutant General's.....do..	1,250 29	.....	.....	.....	1,250 29
Coms. Insane Hospital.....do..	535 63	.....	.....	.....	535 63
Trus. Deaf & Dumb Ins.....do..	539 00	.....	.....	.....	539 00
..do..Blind.....do..	410 00	.....	.....	.....	410 00
..do..House of Refuge.....do..	344 10	.....	.....	.....	344 10
Reg'ts State University.....do..	1,964 22	.....	.....	.....	1,964 22
State Comptroller.....do..	1,074 18	.....	.....	.....	1,074 18
State Ag'l Society.....do..	535 63	.....	.....	.....	535 63
Fox & Wis. R. Imp. Co.....do..	535 63	.....	.....	.....	535 63
Geological Survey.....do..	535 63	.....	.....	.....	535 63
Joint Invest. Com.....do..	2,132 52	360 00	120 00	240 00	2,852 52
Total,	29,330 72	2,220 00	280 00	240 00	32,070 72

P.

Statement of Expenditures on account of the State Historical Society, from its Organization in 1854 to Jan. 1st, 1860:

For appropriations and salaries to January 1st, 1858.....	\$5,000 00	
Literary Exchanges for the years 1854, 1855, 1856 and 1857, for Mons. Vattermere.....	400 00	
Printing 2,000 copies 3d Annual Report of 1857, for use of Society,.....	1,881 92	
Binding same, and stationery, as per appropriation to Weed & Eberhard,.....	892 44	
Postage to January 1st, 1858,.....	236 11	
		\$8,410 47
Annual appropriation for the year, 1858,....	1,000 00	
Salary of the Secretary, 1858,.....	1,000 00	
Postage for the year, 1858,.....	97 67	
		2,097 67
Annual appropriation for the year 1859,.....	1,000 00	
Salary of the Secretary for the year 1859,....	1,000 00	
Postage for the year 1859,....	105 50	
		2,105 50
Total to January 1st, 1860,.....		<u>\$12,613 64</u>

In addition to the above there was paid in the year 1858, for printing the Report for the year 1857, in English and in various foreign languages, for the use of the Legislature, the further sum of,\$20,037 99
 Account presented March 10, 1860, for Binding 2,000 copies Report of 1859, for the use of the Society,..... 500 00
 Account of State Printer for printing the Report of 1859, not yet presented,.....

STATE OF WISCONSIN,

SECRETARY'S OFFICE,
 MADISON, March 12, 1860.

HON. W. P. LYON, *Speaker of the Assembly*—

SIR:—In compliance with resolution No. 118, A., I have the honor to transmit herewith, an abstract from the reports of Insurance Companies not incorporated by the State of Wisconsin, for the year ending December 31st, 1859, made to this office as required by chapter 191, of the General Laws of 1859, showing—

The capital stock of each of the reporting companies;

The gross amount of premiums received by all the companies, in Wisconsin, for the year 1859, being two hundred and forty-eight thousand three hundred and twenty and 71-100, (248,320 71-100), and

The gross amount of three per cent tax, including first payment required by section 5, of the act above cited, being seven thousand nine hundred and forty-nine and 59-100 dollars, (\$7,949 59.)

12, 1860.]

THE ASSEMBLY.

058

The companies are not required by law to report the *losses* paid in the State, and I am not possessed of the information on that point sought by the Assembly's resolution.

Very respectfully,

Your obedient servant,

L. P. HARVEY, *Sec'y of State.*

An Abstract from the Reports of Insurance Companies not incorporated by the State of Wisconsin, for the year ending December 31st, 1859, filed in the office of the Secretary of State:

Name of Company.	Capital.	Gross Am't of Prem's rec'd in State.	Three per cent. tax.
Aetna Life Ins Co., Hartford, Conn.,.....	\$150,000	\$5,301 20	\$159 03
Aetna Ins. Co.,..... do.....	1,500,000	56,845 47	1,705 36
Atlantic Fire Ins. Co., Brooklyn, N. Y.,.....	500,000	2,229 53	66 89
*Arctic Fire Ins. Co., New York,.....	250,000	.....	500 00
Commercial Fire Ins. Co., New York,.....	200,000	1,234 25	37 04
City Fire Ins. Co., Hartford, Ct.,.....	250,000	8,817 54	264 53
Charter Oak Life,..... do.....	150,000	2,480 80	74 41
City Fire, New Haven, Ct.,.....	200,000	3,040 88	91 21
Connecticut Fire, Hartford, Ct.,.....	200,000	3,639 63	109 19
Charter Oak Fire & Marine, Hartford, Ct.,	300,000	5,355 10	160 65
Connecticut Mutual Life,..... do.....	Mutual..	4,375 48	131 26
Continental Ins. Co.,.....	500,000	4,971 36	149 14
Conway Fire, Conway, Mass.,.....	150,000	1,955 53	58 67
Firemans Fund, New York,.....	150,000	909 76	27 29
Germania Fire,..... do.....	200,000	1,278 43	38 35
Great West. Ins. & Trust Co., Philadelphia,	255,900	679 87	20 40
Goodhue Fire, New York,.....	200,000	908 88	27 25
Girard Fire & Marine, Philadelphia,.....	200,000	1,001 01	30 03
Humboldt Ins. Co., New York,.....	200,000	897 28	26 92
Home Ins. Co.,..... do.....	1,000,000	24,064 91	721 95
Hartford Fire, Hartford,.....	500,000	19,017 29	570 52
Howard Ins. Co., New York,.....	250,000	2,005 88	60 18
Hope Fire,..... do.....	150,000	1,103 96	33 11
Lorillard Fire,..... do.....	200,000	1,550 92	46 53
Lamar Fire,..... do.....	300,000	1,888 77	56 66
Liverpool & London Fire & Life,....	943,310	7,843 22	235 30
Mercantile Fire, New York,.....	200,000	420 66	12 62
Merchants Ins., Hartford,.....	200,000	3,912 50	117 37
Mutual Ins. Co., Buffalo,.....	500,000	12,199 82	365 99
Montauk Fire, Brooklyn,.....	150,000	1,359 12	40 77
Metropolitan Fire, New York,.....	300,000	2,461 49	73 54
Massasoit, Springfield, Mass.,.....	150,000	1,845 36	55 36
Mutual Benefit Life, Newark, N. J.,.....	.....	675 05	20 25
New England Fire & Marine, Hartford,...	200,000	1,593 71	47 81
Niagara, New York,.....	200,000	996 27	29 69
North Western, Oswego,.....	150,000	13,708 04	411 24
North American Fire, Hartford,.....	300,000	5,402 79	162 08
..... do..... do..... New York,.....	250,000	2,594 46	77 83
Phoenix Fire, Brooklyn,.....	200,000	5,453 48	163 60
Phoenix, Hartford,.....	400,000	16,875 98	506 28
Park Fire, New York,.....	200,000	3,457 79	103 73
Peoria Marine & Fire, Peoria, Ill.,....	500,000	3,714 54	111 44
Quaker City, Philadelphia,.....	200,000	721 18	21 63
Resolute Fire, New York,.....	200,000	418 13	12 54
Springfield Fire & Marine, Springfield,...	200,000	3,241 56	97 25
State Fire, New Haven,.....	200,000	1,187 00	34 11
Western Massachusetts, Pittsfield,.....	150,000	2,736 33	82 09
Total.....		212,200 71	67,749 59

* First payment as per Sec. 5, Chap 191, General Laws, 1859.

By Mr. Rogers:

Mem. No. 304, A., of John Wolford, Hendrick C. Vryherd and Sebolt Dekker, for redress on lands conveyed to above parties in 1850, by the School Land Commissioners, to which the State had no title;

To Sheboygan delegation.

By Mr. Bunn:

Mem. No. 305, A., petition of Thomas Douglas, jr., and 50 others, citizens of Jackson county, praying that certain territory be stricken from the county of Jackson and annexed to the county of Trempeleau;

To committee on Town and County Organization.

By Mr. Lyon:

Mem. No. 306, A., petition of the Northwestern Bank for a reduction of its capital stock;

To committee on Banks and Banking.

By Mr. Goodwin:

Mem. No. 307, A., petition of H. B. Nugent and 14 others, for the laying out of a State road between points therein mentioned;

To committee on Roads, Bridges and Ferries.

By Mr. Kingsbury:

Mem. No. 308, A., petition of David Taylor and others electors of Sheboygan county, to amend chapter 184 of the Revised Statutes;

To committee on Judiciary, with bill No. 493, A.

By Mr. Palmer:

Mem. No. 309, A. Petition of Erastus Foote, for relief;

To committee on Claims.

RESOLUTIONS INTRODUCED.

By Mr. Wheeler:

J. Res. No. 28, A.;

Resolved, by the Assembly, the Senate concurring, That the Judiciary committees of the two houses, be instructed to act as a joint committee to inquire whether the late decision of the Supreme Court, that the present mode of taxing plank and railroads, is unconstitutional, invalidates other taxes in those towns and cities having plank or railroad property within their limits, and also what legislation, if any, is made necessary by such decisions, and to report by bill or otherwise as soon as practicable.

On motion of Mr. Wheeler,

The rules were suspended and the resolution was adopted.

By Mr Palmer:
Res No. 120, A.;

Resolved, That the Governor be and he is hereby respectfully requested to transmit to the Assembly, copies of all correspondence between him and the La Crosse and Milwaukee R. R. Company, or any officer thereof, or between him and the Secretary of the Interior, or the Commissioner of the General Land Office, or any officer of either of those departments, relating to the lands granted to this State by the act of Congress entitled, "an act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June 3, 1856,, or to the claim of said company to such lands, or any part thereof, or relating to the completion of the "land grant road," so called, or any portion thereof, to which the said La Crosse and Milwaukee Railroad Company, was by law authorized to construct;

Which lies over.

RESOLUTIONS CONSIDERED.

Res. No. 111, A.;

Requesting select committee on "rates of interest," to report a bill;

Introduced by Mr. Westby on the 8th inst;

Was adopted.

Res. No. 113, A.;

Fixing the hour of meeting of daily sessions;

Introduced by Mr. Mulholland, on the 9th inst;

Was postponed until Monday next.

Res. No. 116, A.;

Furnishing postage stamps;

Introduced by Mr. Ruan on Saturday;

Was laid on the table, by the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Ballantine, Barnum, Beath, Blackman, Bovay, Brooks, Bunn, Burt, Clise, DeWolf, Dickson, Farwell, Golden, Griswold, Grover, Hammarquist, Horton, Howland, Johnson, Judd, Kiefer, Langland, Moore, Mulholland, Nash, Ordway, Patchin, Robertson, Schmitdner, Seaton, Smith, Spottswood, Stannard, Sumner, VanderCook, Wheeler, Whitteley, Whiting, Young and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Boyd, Bugh, Cole, Coles, Fairchild, Goodwin, Griffin, Hartung, Humann, Jackson, Keogh, Kingsbury, Mackay, McMichael, Munn, Neville, Palmer, Phillips, Rankin, Rogers, Sutton, Townsend, Wiley, Winter, and Wood--26.

Res. No. 119, A.;

Relative to a law, declaring single men over 28 years of age, ineligible to a seat in this assembly;

Introduced by Mr. Sutton on Saturday.

Mr. Howland moved to amend by striking out the word "poor" where it occurs, and insert the following in lieu thereof, "old maids and widows;"

Pending which;

On motion,

The whole matter was laid on the table.

Mr. Upson was granted leave of absence until Wednesday next.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Palmer:

No. 492, A., a bill for an act to amend chapter 181, of the General Laws of 1859, entitled "an act concerning the amendment of pleadings;"

To committee on Judiciary.

By Mr. Kingsbury:

No. 493, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled "of inquests of the dead;"

To committee on Judiciary.

By Mr. Smith:

No. 494, A., a bill for an act to amend chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings therein;"

To committee on Judiciary.

By Mr. Langland:

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town;

To committee on Swamp and Overflowed Lands.

By Mr. Ahlhauser:

No. 496, A., a bill for an act to provide for the publication of election notices;

To committee on Privileges and Elections.

By Mr. Wiley:

No. 497, A., a bill for an act to constitute Shawanaw county a part of the tenth judicial circuit, and to fix the terms of court therein;

To committee on Judiciary.

By Mr. Burt:

No. 498, A., a bill for an act conferring certain powers upon the board of Supervisors of the county of Green Lake;

To Select committee consisting of Messrs. Burt, Bovay and Patchin.

By Mr. Griswold:

No. 499, A., a bill for an act to regulate the practice in courts in certain cases;

To committee on Judiciary.

By Mr. VanderCook:

No. 500, A., a bill for an act to amend section 27, of chap. 23, of the Revised Statutes, entitled "of common schools;"

To committee on Education.

By Mr. Lyon:

No. 501, A., a bill for an act to incorporate the German Free School Association of the city of Racine;

To committee on Education.

By Mr. VanderCook:

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

To committee on Judiciary.

By Mr. Phillips:

No. 503, A., a bill for an act to provide for paying interest on state, school, university and swamp lands, in certain cases;

To committee on Swamp and Overflowed Lands.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined the following bill and find it correctly engrossed under Rule 48:

No. 443, A., a bill for an act to incorporate the Mequon Farmer's Mutual Insurance Company.

M. HOWLAND, *Ch'n.*

The joint committee on Enrolled Bills, report that they, on the 10th inst., presented to the Governor for his approval, the following bills:

No. 166, S., an act to amend section 52, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

No. 148, S., an act to amend section 1, of chap. 51, of the Private and Local Laws of 1858, entitled "an act to authorize school district No. 5, in the town of Platteville, Grant county, to borrow money;"

No. 56, S., an act to amend sections 8 and 16, of chapter 340, of the Private and Local Laws of 1856, entitled "an act to incorporate the Arena and Dubuque Railroad Company;"

No. 27, S., an act to amend section 26, of chapter 139, of the Revised Statutes, entitled "of appeals and writs of error, and proceedings therein;"

No. 404, A., an act to refund penalties paid in certain cases.

GEO. BENNETT, *Senate Com.*

C. MILLER, *Assembly Com.*

The committee on Railroads to whom was referred

No. 168, S., a bill for an act to repeal sections 1, 2, 3, 4, 5, 6, and 7, of chapter 79, of the Revised Statutes entitled "of railroads;"

Have had the same under consideration and instructed me to report the same back to the Assembly with a recommendation that it be indefinitely postponed.

WM. E. WHEELER, *Ch'n.*

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 230, S., a bill for an act to authorize school district No. 1, of the town of Jefferson, to raise a tax to build a school house;

No. 231, S., a bill for an act to amend chapter 193, of Private and Local Laws of the year 1859, entitled "an act to incorporate the village of Oconto;"

No. 206, S., a bill for an act to authorize the Bank of Wauwatertown to reduce its capital stock;

No. 5, S. M., a memorial to the Post Master General for a change in a mail route.

I am further directed to inform you that the Senate has concurred in the passage of

No. 99, A., a bill for an act to amend sections thirty-five and forty-six, of chapter two of the Revised Statutes, entitled "of the division of the State into counties and their boundaries "

No. 126, A., a bill for an act to provide for the disposal and expenditure of drainage fund monies in Shawanaw county;

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1.

And also to present for your signature:

No. 243, S., a bill for an act to authorize the commissioners of

school and university lands to remit penalties in certain cases, and to change the time for the annual distribution of the school land income;

No. 169, S., an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh, to aid in the construction of a railroad;" also chapter 502, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh, to aid in the construction of a railroad," approved Oct. 11, 1856; also chapter 138, of the Private and Local Laws, of 1858, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad;"

No. 175, S., a bill for an act relating to the State tax of the county of Door;

No. 180, S., a bill for an act to amend an act entitled "an act to incorporate the La Crosse Hydraulic Company;"

No. 125, S., a bill for an act to amend an act entitled an act to incorporate the city of Prescott;

No. 194, S., a bill for an act to incorporate the First Universalist Church of Monroe;

No. 116, S., a bill for an act to authorize the Secretary of State to audit the annual appropriations to county agricultural societies.

And further to inform you that the Senate has concurred in J. Res. No. 25, A., relating to final adjournment.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to request the Assembly to return to Senate for further consideration,

No. 57, S., a bill for an act to authorize the city of Hudson to issue bonds;

Said bill was ordered to be returned to the Senate.

BILLS ON THEIR THIRD READING.

The following bills were read a third time and concurred in:

No. 60, S., a bill for an act to authorize the Citizen's Bank, Oshkosh, to remove to Black River Falls, Jackson county.

No. 76, S., a bill for an act to amend an act approved March 11, 1859, entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855.

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Co.," approved March 2, 1857.

No. 105, S., a bill for an act to amend chap. 52, of the General Laws of 1859, entitled "an act relating to the Dane county court."

No. 142, S., a bill for an act to amend sec. 1, of chap. 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of La Crosse county.

And

No. 181, S., a bill for an act to amend chap. 22, of Revised Statutes, entitled "of academies and normal schools."

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed :

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county.

No. 128, A., a bill for an act to repeal chap. 124, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county."

No. 280, A., a bill for an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment thereof.

No. 359, A., a bill for an act to amend sec. 9, chap. 2, of an act entitled "an act to incorporate the city of Fond du Lac," approved March 19, 1852.

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac.

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money in Brown county.

No. 416, A., a bill for an act to amend an act entitled "an act to incorporate the city of La Crosse, and the several acts amendatory thereto," approved March 14, 1856.

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to Menominee river."

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins;

No. 348, A., a bill for an act to provide for the proper burial of the dead;

No. 406, A., a bill for an act to incorporate the Delevan Academy;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton;

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

No. 315, A., a bill for an act to amend section 3, of chapter

19, of Revised Statutes, entitled "of prisons generally and common jails;

No. 432, A., a bill for an act to appropriate to Milo Coles the sum of \$50 98;

The ayes and noes being required,

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Beath, Blackman, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Ccle, De-Wolf, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Horton, Howland, Humann, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Schmidtner, Seaton, Smith, Stannard, Sumner, Sutton, Townsend, VanderCook, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—59.

Those who voted in the negative were

Messrs. Dickson, McMichael, Moore, Rogers and Spottswood—5.

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122,45.

The ayes and noes being required,

The bill passed by the following vote—ayes 59, noes 5:

Those who voted in the affirmative were:

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Beath, Blackman, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Cole, De Wolf, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Horton, Howland, Humann, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Schmidtner, Seaton, Smith, Stannard, Sumner, Sutton, Townsend, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young, and Mr. Speaker—59.

Those who voted in the negative were:

Messrs. Dickson, McMichael, Moore, Rogers and Spottswood—5.

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Was recommitted to the committee on the Judiciary.

The Assembly refused to pass

No. 324, A., a bill for an act to amend chapter 132, of the General Laws of 1859, entitled "an act to appropriate certain islands in the Wisconsin river, to the Boscobel and Manhattan Bridge Company;

By the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Blackman, Brooks, Bunn, Burt, Clise, Dickson, Golden, Goodwin, Griswold, Hammarquist, Johnson, Judd, Langland, McMichael, Moore, Neville, Phillips, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Whittlesey, Whiting, Wiley, Young and Mr. Speaker—33.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Barnum, Beath, Bovay, Boyd, Bugh, Cole, Coles, DeWolf, Fairchild, Griffin, Grover, Hartung, Hayden, Horton, Howland, Humann, Jackson, Keogh, Keifer, Kingsbury, Lewis, Mackay, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Sutton, Townsend, VanderCook, Wheeler, Winter, and Wood—36.

REPORT OF COMMITTEE OF THE WHOLE,

Considered.

The amendments to

No. 77, A., a bill for an act to repeal chap. 33, of the private and local laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic company;"

No. 78, A., a bill for an act to repeal chapter 270, of the private and local laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie and their successors to build and maintain a dam across the Wisconsin river;"

No. 79, A., a bill for an act to repeal chap. 508, of the private and local laws of 1856, entitled "an act to amend chapter 330, of the private and local laws of 1855;"

No. 139, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Milwaukee, for the years 1856 and 1857;

And,

No. 232, A., a bill for an act to amend section 9, of chapter 109, of title 21, of the Revised Statutes, entitled "of marriages."

Were concurred in, and

Said bills ordered engrossed for a third reading.

No. 116, A., a bill for an act to authorize the Governor to appoint commissioners of foreign emigrants;

Was postponed until Wednesday next, and made the special order for that day at eleven o'clock, A. M.

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

And

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges;

Were ordered engrossed for a third reading.

M. C. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman and Hammond to Warren;

M. C. No. 4, S., memorial to the Post Office department, relative to increase of mail service on mail route 13,069;

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake;

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 135, S., a bill for an act to amend the charter of the Kenosha, Rockford and Rock Island Railroad;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$146 75;

No. 178, S., a bill for an act to amend an act entitled "an act to amend chapter 299, of the Private and Local Laws for the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Company;'"

And

No. 257, S., a bill for an act to authorize the holding of a special term of the circuit court in and for the county of Jefferson;

Were ordered to a third reading.

On motion of Mr. Smith,
The rules were suspended, and

No. 257, S.,

Was read a third time and concurred in.

Mr. Young moved to adjourn;

Which was not agreed to.

Mr. Smith moved to adjourn until 7 P. M.

On motion of Mr. Barnum,

The Assembly adjourned.

TUESDAY, MARCH 13, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Walter officiated as chaplain.

On motion of Mr. Sutton,

Reading of the journal of yesterday dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Mulholland :

Mem. No. 310, A., remonstrance against the passage of Assembly bill No. 421 ;

To delegation from Manitowoc county.

By Mr. Humann :

Mem. No. 311, A., remonstrance of Christian Bollow and 148 others, citizens of the 9th ward of the city of Milwaukee, against any alteration of city limits in said ward ;

To committee composed of the Milwaukee city delegation.

ACCOUNTS,

Presented and referred.

By Mr. Griswold :

No. 76, A., the account of M. E. Fuller.

RESOLUTIONS INTRODUCED.

By Mr. Sutton:

Res. No. 121, A.,

Resolved, That the superintendant of public property furnish to each member of this Assembly, \$4 worth of postage stamps, \$3 in one cent stamps, and \$1 in three cent stamps; also \$3 worth to each officer and employee, \$2 worth in one cent stamps, and \$1 in three cent stamps;

Which lies over.

By Mr. Bovay:

J. Res. No. 29, A.,

Whereas, It is no longer the settled policy of the national Government to dispose of the public lands with the sole object of deriving a revenue therefrom; and

Whereas, A sound national policy not less than a wise and

generous philanthropy indicates that the main object to be attained in the disposal of those lands, should be a speedy settlement by a free and industrious population; therefore,

Resolved, by the Assembly, the Senate concurring, That the best interests of the whole country would be promoted by the passage of an act by the general government, substantially throwing open the public lands in limited quantities to actual settlers free of cost.

Resolved, That as a measure of practical legislation designed to secure the greatest of all material objects, in a free state, "homes for all," we highly approve of the bill of the Hon. Galusha A. Grow, of Pennsylvania, now pending in the House of Representatives, at Washington, commonly known as the homestead bill, and we hereby declare the wish of the people of Wisconsin to be almost, if not entirely unanimous, that the said bill should become the law of the land.

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and resolutions to the President of the United States, and to each of our Senators and Representatives in Congress;

Which lies over.

By Mr. Neville:

J. Res. No. 80, A.

Resolved, by the Assembly, the Senate concurring, That 1000 extra copies of the report of the select committee on the State Hospital for the Insane, be printed for the use of the members of the Legislature, 700 for the use of the Assembly, and 300 for the Senate.

The rules were suspended, and

The resolution was rejected.

By Mr. Seaton:

Res. No. 122, A.,

Resolved, That for the purpose of enabling members of this house to examine a very ingenious apparatus to test the merits of the different modes of ventilation now in use, which Professor Read proposes to exhibit and explain in the Speaker's room, no afternoon session of the Assembly will be held on Thursday next.

The rules were suspended, and

The resolution was lost.

RESOLUTIONS CONSIDERED.

Res. No. 114, A., providing for purchasing the town laws in the German language;

Introduced by Mr. Goodwin, on the 9th inst.,

Was laid on the table.

Res. No. 120, A., requesting the Governor to transmit to the Assembly certain correspondence; ~~passed~~

Introduced by Mr. Palmer, yesterday,

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Griswold:

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Baraboo Valley Railroad Company;

To committee on Railroads.

By Mr. Griffin:

No. 505, A., a bill for an act to legalize the organization and proceedings of the trustees of the Baptist Society in the village of Lowell, Dodge county;

To committee composed of the Dodge county delegation.

By Mr. Bunn:

No. 506, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Trempeleau;

To committee on Swamp and Overflowed Lands.

By Mr. Goodwin:

No. 507, A., a bill for an act to purchase town laws of B. Domschke, and to appropriate certain money therein mentioned;

To committee on Claims.

By Mr. Whittlesey:

No. 508, A., a bill for an act to legalize certain State roads therein named;

To committee on Roads, Bridges and Ferries.

By Mr. Wiley:

No. 509, A., a bill for an act to amend chapter 22, of the General Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

To committee on the Judiciary.

By Mr. Palmer:

No. 510, A., a bill for an act to amend chapter 97, of the Revised Statutes, entitled "of wills of real and personal estate;

To committee on the Judiciary.

By Mr. Howland:

No. 511, A., a bill for an act to amend section 4, of chapter 220, of the General Laws of 1859, entitled "an act in relation to the foreclosure of mortgages on real estate, and to repeal an act entitled 'an act relating to the foreclosure of mortgages, and the sale of lands under such foreclosure,' " approved, May 15, 1858;

To committee on the Judiciary, with instructions.

By Mr. Hayden:

No. 512, A., a bill for an act to amend section 20, of chapter 133, of the Revised Statutes, entitled "of costs and fees;"

To committee on the Judiciary.

By Mr. Ordway:

No. 513, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise two or more Assembly districts;

To committee on the Judiciary.

REPORTS OF COMMITTEES.

The committee on Incorporations to whom was referred the following bills, have had the same under consideration, and have instructed me to report them severally back to the Assembly with recommendation that the enacting clause thereof, be stricken out, to wit:

No. 400, A., a bill for an act to amend chapter 46, of the General Laws of 1859, entitled "an act to authorize the formation of town insurance companies;"

No. 159, A., a bill for an act relating to public officers and their duties.

R. BUNN, *Ch'n.*

The committee on Railroads to whom was referred

Res. No. 24, A.,

Mem. No. 71, A.,

And bill

No. 272, A., a bill for an act granting to the Madison, Portage City and Lake Superior railroad company, certain lands to aid in the construction of a railroad, and to repeal and amend a grant of land heretofore made to the La Crosse and Milwaukee railroad company;"

And the communication of the Attorney General in answer to Res. No. 95, A.;

Have had the same under consideration, and have instructed me to report said bill back to the Assembly with a substitute, and recommend the passage of the substitute :

Messrs. Elmore, Hayden and Upson, dissenting.

WM. E. WHEELER, *Ch'n.*

On motion of Mr. Ordway,

The substitute reported by the committee was ordered to be printed.

The committee on Roads, Bridges and Ferries to whom was referred

Mem. No. 277, A., petition of Hoel S. Wright and other cit-

izen of Brown county, for charter for a bridge across the Fox river, at Wrightstown, in said county;

Have had the same under consideration, and report by bill

No. 514, A., a bill for an act to authorize the construction of a bridge across Fox river, at Wright's ferry, Wrightstown, Brown county;

And recommend its passage.

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

Has been considered, and is respectfully reported back to the house and its passage recommended.

C. G. HAMMARQUIST, *Ch'n.*

Bill No. 514, A.,

Was read twice and sent to general file.

Bill No. 119, S.,

Was ordered to a third reading.

The committee on Roads, Bridges and Ferries, to whom was referred

No. 407, A., a bill for an act to permit the board of supervisors of the several towns in the county of Milwaukee to lay out and open highways to the width of three rods;

Have had the same under consideration, and report the same back to the House, with recommendation that it be referred to Milwaukee county delegation.

Also,

No. 460, A., a bill for an act legalizing a State road therein named;

And

Mem. No. 292, A., a petition accompanying the same;

Have been considered, and are respectfully reported back to the House, with recommendation that said bill No. 460, A., do pass.

No. 453, A., a bill for an act authorizing the construction and maintenance of a boom in Half Moon Lake;

Has been considered, and is reported back to the House, with recommendation that it be indefinitely postponed.

C. G. HAMMARQUIST, *Ch'n.*

Bill No. 407, A.,

Was referred as recommended.

The committee on Town and County Organization to whom was referred

No. 271, A., a bill for an act to provide for the removal of the county seat of Sheboygan county, to the village of Sheboygan Falls;

Also,

Mems. Nos. 166, and 180, A., of citizens of Sheboygan county in favor of the passage of the bill for the removal of the county seat to Sheboygan Falls ;

And

Nos. 172, and 200, A., remonstrance against the passage of the bill authorizing the removal of the county seat from Sheboygan city ;

Also,

No. 483 A., a bill for an act for the removal of the county seat of Sheboygan county, to the village of Plymouth, in said county ;

And

Mem. No. 286, A., on the same subject ;

Have considered the same, and report that they find that the county seat of Sheboygan county was located Dec. 7th, 1836, by an act of the Territorial Legislature of that date, and that Sheboygan has ever since remained, and is now, the county seat of said county.

The city of Sheboygan is situated at the mouth of Sheboygan river in the center of the county north and south, at which point there is a harbor and is the principal commercial point in the county where the goods and produce is shipped to and from the county.

Sheboygan City has a population of about five thousand inhabitants.

Sheboygan Falls has a population of about twelve hundred inhabitants.

Sheboygan City has, until this year, paid one third of the taxes of the county ; and this year, one fourth of the tax of the county.

There is a railroad running west from Sheboygan City thro' the center of the county. And there is several plankroads extending in different westerly directions from said city, affording facilities for easy access from all parts of the county.

The inhabitants of Sheboygan City have been at great expense, and have shown a degree of enterprise and liberality in contributing largely to the construction of railroads, lake harbors, plankroads, &c. All of which has been of great advantage to the county.

And your committee are of the opinion that the above facts are deserving of consideration. The county seats of all the counties bordering on the lake have been located at the lake port in the several counties in this State. They were located at or about the time the several counties were organized, and still remain where first located.

Sheboygan Falls is about six miles west of the city of She-

boygan, on the road running west through the county, and is accessible from all parts of the county; has a good water power, and some manufacturing establishments, and is nearer the centre of the county than the city, six miles.

The village of Plymouth is nearer the centre of the county than either of the other places mentioned, and your committee are informed that it has a water power of sufficient capacity to run a county seat at all seasons and this is about all that your committee has been able to learn of this locality.

Your committee have heard parties in favor and against the passage of bill No. 271, A., and also bill No. 488, A.; and a majority of your committee feel justified in saying, from the past history of county seat questions in this State, that the question of the removal of the county seat should never be submitted to a vote, unless the Legislature is satisfied that the convenience and the best interests of the inhabitants require that the county seat should be moved from its present location.

Your committee are of the opinion that no such inconvenience exists in this case as to require the passage of either of the bills afore mentioned;

And herewith return bill No. 271, A., and bill No. 488, A., and recommend that the further consideration of said bills be indefinitely postponed.

A. P. DICKSON,
E. SIMPSON,
ASAPH GREEN.

The committee on Town and County Organization to whom was referred

No. 237, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute;

Also

Mem. No. 155, A., of J. S. Buck, and 60 others for the passage of the bill;

And

No. 182, A., remonstrance of John Jewet and 50 others, against the passage of the bill;

And have considered the same, and instructed me to report the same back with amendment, and recommend the adoption of the amendment and the passage of the bill when so amended.

J. P. DICKSON, *Ch'n.*

The Committee on Town and County Organization, to whom was referred

No. 180, S., a bill to amend an act entitled an act to annex certain territory to the town of Hudson;

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

J. P. DICKSON, *Ch'n.*

Report of the Joint Committee on State Prison.

As instructed, your committee visited the Prison at Waupun, and gave to its general management, condition, and needs such degree of attention as their limited time permitted, and beg leave to submit the following report:

An examination of Commissioner's books and vouchers convinced your committee of the correctness of detailed expenditures, as set forth in the Commissioner's last report.

The books were well kept, and in the main the expenditures seem to have been judiciously applied to the furtherance of the objects contemplated in the appropriations of last year.

It was a subject of congratulation that so much of the wall for enclosing the prison grounds is completed, and the propriety of pushing forward the work to its earliest practicable completion cannot be doubted, as when finished the prison force may be materially lessened.

The want of shop room, strongly suggests the importance of erecting an ample stone shop, during the present year, if sufficient convict force can be reasonably spared from other occupations, for such purpose. It is believed, by your committee, that no further work should be done at present, with a view to the future building of the north wing of the prison. There seems no pressing need for such wing, and the opinion of the committee is unqualified, that true economy for the State, will imperatively require the locating of our main prison at a more eligible point than Waupun.

Good policy dictates such expenditure only at that point, as may be required to render the prison as safe, unexpensive and remunerative, as its increased prison capacity will admit; with the view of ultimately providing a more suitable location for the future prison wants of the State. We are, therefore, of the opinion that the construction of the prison sewer should not be entered upon.

It is deemed a matter of doubt, whether as much team-hire as is shown in the commissioner's last report, is absolutely necessary to meet the prison wants in that respect, and it is therefore recommended that the State Prison Commissioner be directed to purchase one good two-horse team, harness and wagon for the State, to be used for prison work exclusively; with the further recommendation that such other or additional team service as may, in the judgment of the Commissioner, be necessary, the Commissioner shall obtain by contract, giving the service to the lowest bidder; provided, that not more than two dollars and fifty cents per day shall be allowed for the hire of a team of horses with driver; nor more than one dollar per day for the hire of an ox team. It is thought appropriate, it not

absolutely necessary, that the employees of the prison board at the prison; and it is, therefore, advised that the Commissioner use his best discretion as to whether any of such employees be permitted to board elsewhere.

The policy of charging a gate-fee of twenty-five cents to each visitor, at the discretion of the Commissioner, is deemed sound, and it is recommended that, in consideration of such admission imposing additional labor and responsibility upon the Commissioner, he be permitted to appropriate this fee in compensation for the extra service.

Not unfrequently, convicts have small sums of money, or other valuables, when received at the prison, which they may desire to bestow upon their families or friends. This cannot now be done without a permit from the judge of Dodge county. No good reason has been heard why this condition should obtain, and your committee believe that the discretion of the commissioner would meet this case as well and more directly, requiring the receipt of the recipient, as the commissioner's voucher.

As, (see commissioner's last report,) something more than twelve hundred dollars will be due from the general government for keeping U. S. prisoners, for the year 1860, it is thought advisable that such legislative action be had as will enable the commissioner to command the use of such money, as soon as paid to the State, either by his receiving it directly, or by his drawing it from the Treasury, upon the auditing of his order by the Secretary of State.

In the judgment of your committee, the law should be so amended as to leave the solitary confinement of prisoners mainly to the discretion of the commissioner and his deputy. It can subserve no good purpose other than as a correction of bad conduct in the prisoner; and therefore such conduct should indicate the measure of it, as it affords the necessity.

In this connection it seems appropriate to direct your attention to the recommendation of Commissioner McGraw, regarding the good conduct of prisoners making a reduction of their term of sentence. It is believed that the practical adoption of such a measure would prove most salutary, as thereby a powerful motive would be afforded to the convicts, continually stimulating to good conduct.

The attention of the Legislature is again called to the fact that the south line of the prison grounds is but a few feet from the south end of the prison wing. In the judgment of your committee, the State Prison Commissioner should be clothed with the discretion of exchanging grounds owned by the State north of the prison, for an equivalent portion of land adjoining

the south line of the prison grounds, or to purchase a sufficient portion of land to obviate the difficulty herein suggested.

It will be seen, by the Commissioner's last report, that there is an indebtedness against the prison of \$2,028 65 which should be kept in view in making appropriations for the present year. From the fullest investigation of the needs of the prison which your committee have been able to make, it is thought that an appropriation of *thirty thousand* dollars will be necessary to pay indebtedness and meet the various expenses of the prison for the current year, exclusive of the money paid by and to be due from the General Government for the year 1860.

To meet the various recommendations of this report, bills are herewith introduced, and their passage recommended.

All of which is respectfully submitted, by order of the committee,

O. F. BARTLETT,
ALBERT ALDEN.

The select committee, consisting of the Columbia county delegation, to whom was referred memorials

No's. 85, 189, 73, 215, 187, 74, 188 and 186;

Have had the same under consideration, and herewith report the same back and recommend that they accompany bill No. 128, A., on the same subject.

WM. GRISWOLD, *for Com.*

Said memorials were ordered to accompany bill No. 128, A. The select committee to whom was referred bill

No. 498, A., a bill for an act conferring certain powers upon the board of supervisors, of the county of Green Lake;

Having had the same under consideration, respectfully report the same back to the House, and recommend its passage.

J. W. BURT, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in,

No. 216, S., a bill for an act to appropriate to James M. Flower the sum of \$177;

No. 217, S., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

No. 222, S., a bill for an act relating to the public schools in the city of Oshkosh;

No. 224, S., a bill for an act to appropriate to Hugh Campbell the sum of \$127;

No. 276, S., a bill for an act to amend the several acts relating to the charter of the city of Watertown.

I am further directed to inform you that the Senate has concurred in passage of

No. 57, A., a bill for an act to provide for the disposal of the drainage fund moneys in the county of Fond du Lac;

No. 327, A., a bill for an act to authorize the district board of joint school district No. 2, of the town and city of Ripon to collect a tax;

No. 337, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the years 1860 and 1861;

No. 338, A., a bill for an act for the relief of settlers on north-east quarter, of section 16, town 26, range 16, in Shawanaw county.

Nos. 216, 217, 222, 224 and 276, S.,

Were read first and second times.

Nos. 216, 217, and 224, S.,

Were placed on the general file.

No. 222, S.,

Was referred to Mr. Bouck.

The rules were suspended, and

No. 276, S.,

Was read a third time and concurred in.

SENATE MESSAGE TAKEN UP.

Mem No. 5., S., memorial to the Postmaster General for a change in a mail route.

No. 206, S., a bill for an act to authorize the Bank of Watertown to reduce its capital stock;

No. 230, S., a bill for an act to authorize school district No. 1, of the town of Jefferson to raise a tax to build a school house;

And

No. 231, S., a bill for an act to amend chapter 193, of Private and Local Laws of the year 1859, entitled "an act to incorporate the village of Oconto;

Were read first and second times.

Mem. No. 5, S., and Nos. 230 and 231, S.,

Were placed in the general file.

On motion of Mr. Smith,

The rules were suspended, and

No. 206, S.,

Was read a third time and concurred in.

BILLS ON THIRD READING.

No. 178, S., a bill to amend an act entitled "an act to amend chap. 299, of the Private and Local Laws for the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Co.;'"

Was referred to the committee on Railroads.

The following bills and memorials were severally read a third time and concurred in :

M. C. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman and Hammond, to Warren.

M. C. No. 4, S., memorial to the post office department relative to increase of service on mail route.

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette.

No. 135, S., a bill for an act to amend the charter of the Kenosha, Rockford and Rock Island R. R. Co.

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain moneys to the county of Green Lake.

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Griffin, Grover, Hammarquist, Hartung, Hayden, Horn, Howland, Humann, Jackson, Johnson, Keogh, Kiefer, Langland, Mackay, McMichael, Miller, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Smith, Spottswood, Stannard, Sumner, Townsend, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—71.

None voted in the negative.

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cole, Coles,

DeWolf, Dockry, Fairchild, Farwell, Golden, Griffin, Grover, Hammarquist, Hartung, Hayden, Horn, Howland, Humann, Jackson, Johnson, Keogh, Kiefer, Langland, Mackay, McMichael, Miller, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Smith, Spottswood, Stannard, Sumner, Townsend, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—71.

None voted in the negative.

And

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$146 75;

The ayes and noes being required,

The bill was passed by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Griffin, Grover, Hammarquist, Hartung, Hayden, Horn, Howland, Humann, Jackson, Johnson, Keogh, Kiefer, Langland, Mackay, McMichael, Miller, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Smith, Spottswood, Stannard, Sumner, Townsend, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood, Young and Mr. Speaker—71.

None voted in the negative.

BILLS READY FOR A THIRD READING.

No. 443, A., a bill for an act to incorporate the Mequon Farmers' Mutual Insurance Company;

Was read a third time and passed.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The amendments to

No. 40, A., a bill for an act to extend the time of payment of principal upon school and university land certificates ;

No. 382, A., a bill for an act to provide for the expenditure of the drainage fund moneys in the county of Marathon ;

No. 446, A., a bill for an act for the protection of orchards and fruit trees ;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts ;

And,

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca county agricultural society, for the year 1856;

Were concurred in, and

Said bills, also,

No. 385, A., a bill for an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river in said county;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions;

No. 425, A., a bill for an act to amend section 11, of chapter 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths;"

No. 426, A., a bill for an act to amend section 21, of chapter 184, Revised Statutes, entitled "of executions, and proceedings supplemental thereto;"

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several act amendatory thereof;

No. 431, A., a bill for an act concerning the coupons of the Capitol extension bonds, issued by the city of Madison;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 456, A., a bill for an act to authorize commissioner to vacate a certain territorial road in the county of Waukesha;

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 15;

No. 465, A., a bill for an act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

And,

No. 435, A., a bill for an act to amend an act entitled "an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same," approved March 25th, A. D. 1858, and all acts amendatory of said act;

Were ordered to be engrossed for a third reading.

On motion of Mr. Dickson,

The rules were suspended, and

No. 435, A.,

Was read a third time and passed, and

The title agreed to.

The rules were suspended and

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital and remove its place of business;

Was read a third time and passed,

And the title agreed to

The enacting clause to

No. 433, A., a bill for an act to amend section 18, of chapter 184 of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

Was stricken out.

No. 256, A., a bill for an act relating to repairs of plank roads in the county of Outagamie;

Was indefinitely postponed.

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's mill, in Manitowoc county, to the town of Calumet, in Fond du Lac county;

Was referred to the Manitowoc delegation, and Mr. Boyd.

The assembly refused to order to be engrossed for a third reading

No. 371, A., a bill for an act to amend chapter 95, of the Revised Statutes, entitled "of the rights of married women;"

And

No. 434, A., a bill for an act to appropriate to Wm. P. Barnes the sum of \$27.

Messrs. Altenhofen, Bettis, Green and Simpson, were granted leave of absence for one day.

THE SPECIAL ORDER,

No. 36, S., a bill providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, of chapter 118, Revised Statutes, entitled "of grand and petit jurors;"

Being under consideration;

On motion of Mr. Bouck,

Said bill was referred to the committee on Judiciary.

REPORTS.

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society, of the city of Milwaukee;

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county;

No. 388, A., a bill for an act to amend the act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, 1852, and to amend the several acts amendatory thereof;

No. 384, A., a bill for an act to amend section 53, of chap-

ter 140, of the Revised Statutes, entitled "miscellaneous proceedings in civil actions, and general provisions;"

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay.

M. HOWLAND, *Ch'n.*

The committee on Enrolled Bills report that they have examined the following bills, and find them correctly enrolled:

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the Third Judicial Circuit to hold special terms of the circuit court;

No. 264, A., a bill for an act to amend an act entitled "an act to incorporate the village of Geneva;

No. 219, A., a bill for an act to annex certain territory to Geneva school district number one.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On the general file of bills;

Mr. Judd in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again;

Leave was granted.

No. 47, A., a bill for an act to amend section 1, of chapter 60, of the Revised Statutes, entitled "of the rates of toll for grinding;"

And

No. 149, S., a bill for an act to amend chapter 35, of the Revised Statutes, entitled "of excise;"

With the recommendation that their enacting clauses be stricken out.

No. 193, S., a bill for an act to amend chapter 80, of the Private and Local Laws of Wisconsin, for the year 1859, entitled "an act to amend an act to incorporate the village of Waukesha;"

With recommendation of reference to the Waukesha delegation.

REPORT OF COMMITTEE OF THE WHOLE

Considered.

No. 193, S.,

Was referred to the Waukesha county delegation.

The enacting clause to

No. 149, S.,

Was stricken out.

The enacting clause to

No. 47, A.,

Was stricken out,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Ballantine, Barnum, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, DeWolf, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hayden, Horn, Howland, Jackson, Johnson, Judd, Langland, Mackay, Miller, Moore, Mulholland, Nash, Ordway, Robertson, Rogers, Seaton, Smith, Spottswood, Sumner, VanderCook, Whittlesey, Wiley, Wood and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Baldwin, Bartlett, Beath, Boyd, Dockry, Fairchild, Grover, Hartung, Humann, Keogh, Keifer, Kingsbury, Meigs, Munn, Neville, Palmer, Patchin, Phillips, Ruan, Stannard, Sutton, Townsend, Westby, Whiting, Winter and Young—28.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in Assembly amendment to

No. 242, S., a bill for an act concerning testimony and investigations.

Also in passage of

No. 416, A., a bill for an act to amend an act entitled "an act to incorporate the city of La Crosse, and the several acts amendatory thereto," approved March 14, 1856;

No. 488, A., a bill for an act to change the time for holding election in the city of Hudson;

Without amendment.

No. 319, A., a bill for an act to authorize the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for an appropriation of money for the payment therefor;

With an amendment, and ask concurrence of Assembly in amendment.

And has indefinitely postponed

No. 102, A., a bill for an act to amend section 75, of chapter 133, of the Revised Statutes, entitled "of costs and fees."

On motion of Mr. Judd,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

On leave, Mr. Horn presented the following

REPORT.

[The said report was, by order of the Assembly of March 14th, expunged from the journal.]

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred No. 368, A., a bill for an act to facilitate the collection of judgments;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommend the passage thereof as amended.

DAVID S. ORDWAY.

The amendment to said bill was concurred in, and said bill ordered engrossed for a third reading.

The committee on the Judiciary, to whom was referred No. 482, A., a bill for an act concerning the publication of legal process and notices;

Also,

No. 486, A., a bill for an act to repeal sections 8, 9, 10 and 11, of chapter 94, of the Revised Statutes, entitled "of the sale of lands for payment of debts, by executors, administrators and guardians;"

Have had the same under consideration, and have instructed me to report them back to the Assembly with the recommendation that the enacting clause of each, respectively, be stricken out.

DAVID S. ORDWAY.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, without amendment, and recommend the passage thereof respectively :

No. 510, A., a bill to amend chap. 197, of the Revised Statutes, entitled "of wills of real and personal estate."

No. 509, A., a bill for an act to amend chap. 2, of the General Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.

No. 221, A., a bill for an act to incorporate religious societies.

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal sec. 36, of chap. 165, of the Revised Statutes, entitled "of offences against property."

No. 458, A., a bill for an act to provide for the payment of insurance money on homesteads.

No. 459, A., a bill for an act to amend sec. 37, of chapter 182, of the Revised Statutes, entitled "of issues, mode of trial, and judgment in civil actions."

No. 150, S., a bill to amend sec. 8, of chap. 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and the cancelling of mortgages."

DAVID S. ORDWAY.

No. 377, A.,

Was ordered to be engrossed.

The committee on the Judiciary, to whom was referred,

No. 80, S., a bill for an act to provide for the service of process on non-resident defendants in certain cases;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the further consideration thereof be indefinitely postponed.

DAVID S. ORDWAY.

The committee on Incorporations to whom was referred the following bills and memorial, have had the same under consideration, and have instructed me to report them severally back to the Assembly, and recommend that the further consideration thereof be indefinitely postponed, to wit:

No. 389, A., a bill for an act to authorize the several wards of the city of Appleton to organize fire companies,

With Mem. No. 259, accompanying the same.

Also,

Mem. No. 212, A., petition of J. J. Wright and 79 others, citizens of Richland and Grant counties, asking for the right

to construct a certain plank road therein described, and asking for an appropriation therefor.

R. BUNN, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed:

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Baily, Edward Norris, Jonathan Bowman, James Christie, and their successors, to maintain a dam across the Wisconsin river;"

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges;

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals, writs of error and proceedings thereon;

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

No. 418, A., a bill for an act to amend an act entitled "an act to incorporate the village of Waterloo," approved March 15th, 1859.

M. HOWLAND, *Ch'n.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

No. 416, A., a bill for an act to amend an act entitled an act to incorporate the city of La Crosse," and the several acts amendatory thereto, approved March 14, 1856.

A. WOOD, *of Assembly Com.*

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq., Chief Clerk thereof.

Mr. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

J. Res. No. 28, A.,

Relative to plank and railroad taxation;

And has indefinitely postponed,

No. 115, A., a bill for an act to legalize certain proceedings of county courts and courts of probate;

No. 378, A., a bill for an act to appropriate to Henry Seifert the sum of \$125.

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 57, S., a bill for an act authorizing the city of Hudson to issue bonds;

No. 179, S., a bill for an act to reduce the capital stock of the Clarke County Bank;

And has concurred in the passage of

No. 251, A., a bill for an act to appropriate to Thomas B. Lacey the sum of \$87 68.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, March 9, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to extend the time for the collection of taxes in the city of Portage;

An act to amend chapter 78, of the Revised Statutes, entitled "of joint stock companies;"

An act to amend chap. 132, of the Private and Local Laws of 1859, entitled "an act to amend an act entitled 'an act to incorporate the city of Beaver Dam;'"

An act concerning mortgages to the State on school lands in the city of Racine.

An act to repeal chapter 168, of the General Laws of 1859, entitled "an act to provide for and defining the mode of assessing the value of lands appropriated by any railroad company, and damages resulting from the location, construction and operation of its line of road, in this State;

An act to authorize the town of Half Moon, in the county of Eau Claire, to keep and maintain a ferry across the Chipewa river, in said town;

An act to amend sections 2 and 3, of chapter 67, of the Private and Local Laws of 1859, entitled "an act to incorporate the LaPoint Iron Company," approved March 5, 1859;

An act to amend section 3, of chapter 116, of the Revised Statutes, entitled "of the circuit courts;"

An act to amend chapter 197, of the Private and Local Laws of 1859, entitled "an act to incorporate the city of Buffalo;

An act to repeal an act entitled "an act to amend chapter

59, of the Local Laws of 1855, entitled 'an act to incorporate the Beloit Gas Light and Coke Company;'"

An act to amend an act entitled "an act to amend an act to to incorporate the village of Omro;"

An act to detach certain territory now included in school district of the city of Beaver Dam, and to attach the same to school district No. 5, of the town of Beaver Dam, Dodge county;

An act to appropriate to S. B. Scott, assignee of Berliner & Bruno, the sum of \$650 00;

An act to postpone the sale of land for unpaid taxes in the county of Richland;

An act to provide for the payment of certain outstanding indebtedness against the Swamp Land Fund;

An act to amend chapter 95, of the General Laws of 1859, entitled "an act conferring jurisdiction on the county court of Bad Ax county;"

An act to appropriate to Amasa Cobb the sum of \$66 88;

An act to appropriate to Andrew Bishop the sum of \$58;

An act providing for additional terms of the circuit court for the county of Racine;

An act to appropriate to George Theis, the sum \$73 75;

Memorial to the Postmaster General of the United States for re-instatement of weekly mail service on mail route 13,088, from Bayfield in La Pointe county, to Chippewa Falls, in the county of Chippewa;

An act for the relief of Sheboygan county;

An act to amend chapter 131, of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Mineral Point."

ALEX. W. RANDALL.

On motion of Mr. Palmer,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,
Mr. Bouck in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration for a considerable length of time the general file of bills, had made some, but very little, progress therein, reported back the following bills, with the several recommendations accompanying the same, and asked leave to sit again,

Leave was granted.

No. 369, A., a bill for an act to amend section 1, of chapter 115, of the Revised Statutes, entitled "of the supreme court;"

With an amendment;

And recommend that it do pass.

M. C. No. 4, A., memorial to Congress for a grant of land to the State of Iowa, to aid in the construction of the McGregor, L. P. and M. Railroad;

No. 461, A., a bill to authorize the city of Milwaukee to construct and maintain certain bridges;

And

No. 485, A., a bill for an act relative to repairs of plank and turnpike roads;

Without amendment.

No. 323, A., a bill for an act to amend section 110, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

With recommendation of indefinite postponement.

No. 91, A., a bill for an act for the publication of the session laws, in two newspapers in each county of this State;

No. 123, S., a bill for an act to repeal chapter 48, of the Gen. Laws of 1858, entitled "an act to amend section 5, of chapter 121, of the General Laws of 1856, entitled "an act concerning railroads;"

And,

No. 454, A., a bill for an act to incorporate the La Crosse Savings and Improvement company;

With recommendation that their enacting clauses be stricken out.

On motion of Mr. Elmore,

The Assembly adjourned.

WEDNESDAY, March 14, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Walter officiated as chaplain.

On motion of Mr. Bartlett,

The reading of the journal was dispensed with.

On motion of Mr. Griswold,

Mr. Barden was granted leave of absence for an indefinite time, on account of sickness in his family.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Bartlett:

Mem. No. 312, A., of Wm. Carson and others, for the removal of the county seat of Dunn county;

To committee on Town and County Organization.

Also,

Mem. No. 313, A., of N. H. Shorey and others, for the removal of the county seat of Dunn county;

To committee on Town and County Organization.

And

Mem. No. 314, A., of George H. Chamberlin and others, praying for an act to annex a portion of the county of Dunn to the county of Eau Claire;

To committee on Town and County Organization.

By Mr. Fairchild:

Mem. No. 315, A., of the Park Fire Insurance Company of New York;

To committee on Claims.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 77, the account of A. G. Darwin.

By Mr. Elmore:

No. 78, the account of R. A. Tripp.

RESOLUTIONS INTRODUCED.

By Mr. Horton :

Res. No. 123, A.;

Resolved, That the members of this Assembly, who are found throwing about the Assembly Chamber, while in session, clubs, books, brick, bats, pamphlets, stones, chairs, cushions, ink-stands or paper balls, shall be fined for each and every such offence five dollars, to be laid out in the purchase of postage stamps for the use of this Assembly ;

Which lies over.

By Mr. Bugh :

Res. No. 124, A.,

Resolved, That the Secretary of State be, and he is hereby requested to inform the Assembly how many copies of the reports of the Supreme Court have been purchased by the State for distribution under and by virtue of sec. 2, of chap. 25, of the Revised Statutes, and to whom and in what manner the same have been distributed ;

Which lies over.

By Mr. Sutton:

Res. No. 125, A.;

Resolved, That a select committee of five be appointed for the purpose of examining the records of this present Legislature, and proceedings thereof as the people of this State at large, have been at a loss to know where the several members of our previous Legislature have been, when several bills had passed, that never should have passed through this House; their reply was, one-third of the members was not present at the time, and did not know that there was such a bill presented.

And be it further

Resolved, That any member of this present Legislature, who has been here to answer his name at every call of the roll, be entitled to a premium of fifty dollars, and the same be paid out of any money in the State Treasury, not otherwise appropriated;

Which lies over.

RESOLUTIONS CONSIDERED.

Jt. Res. No. 29, A.;

Relative to grants of public lands to actual settlers, and to passage of "the homestead bill;"

Mr. Bovay moved to amend by striking out the words "now pending in," in the nineteenth line of said resolution, and inserting in lieu thereof the words "just passed by;"

Which was agreed to,

And the resolution was adopted by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Boyd Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Holton, Horn, Howland, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Langland, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wiley, Winter, Wood, Young, and Mr. Speaker—80.

Those who voted in the negative, were

Messrs. Rankin and Upson—2.

Res. No. 121, A.,

Furnishing postage stamps;

Introduced by Mr. Sutton yesterday,

Was adopted by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Bouck, Cole, Coles, Dockry, Elmore, Fairchild, Goodwin, Griffin, Hartung, Hayden, Horn, Humann, Hunkins, Jackson, Keogh, Kingsbury, Mackay, Meigs, Mitchell, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Ruan, Schmidtner, Simpson, Stannard, Sumner, Sutton, Townsend, VanderCook, Wescott, Wiley, Winter and Wood—48.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barnum, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, DeWolf, Dickson, Golden, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Judd, Kiefer, Langland, Miller, Moore, Mulholland, Nash, Ordway, Robertson, Seaton, Smith, Spottswood, Upson, Weage, Westby, Whittlesey, Whiting, Young and Mr. Speaker—42.

Mr. Hunkins moved to re-consider said vote;

Which was agreed to.

Mr. Alden moved to strike out the last clause of said resolution relating to "officers and employees;"

Which was agreed to.

Mr. Bovay moved to lay the resolution on the table;

Which was not agreed to, by the following vote—ayes 40, noes 47.

Those who voted in the affirmative were,

Messrs. Baldwin, Ballantine, Barnum, Beath, Blackman, Bovay, Bow, Brooks, Burt, Child, Clise, DeWolf, Dickson, Farwell, Golden, Griswold, Hammarquist, Holton, Horton, Howland, Judd, Keifer, Langland, Miller, Moore, Nash, Ordway, Seaton, Smith, Spottswood, Sumner, Upson, VanderCook, Weage, Westby, Wheeler, Whittlesey, Whiting and Mr. Speaker—40.

Those who voted in the negative were:

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Bouck, Boyd, Bugh, Bunn, Cobb, Dockry, Elmore, Fairchild, Goodwin, Griffin, Grover, Hartung, Hayden, Horn, Humann, Hunkins, Jackson, Keogh, Kingsbury, Mackay, Meigs, Mitchell, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Simpson, Stannard, Sutton, Townsend, Wescott, Wiley, Winter, Wood and Young—47.

Mr. Smith moved the previous question,

Which was seconded, and

The question being "Shall the main question be now put?"

The previous question was ordered, and

The resolution as amended was adopted, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Bartlett, Bouck, Boyd, Bugh, Cobb, Coles, Dockry, Elmore, Fairchild, Goodwin, Griffin, Grover, Hartung, Horn, Humann, Hunkins, Jackson, Keogh, Kingsbury, Mackay, Meigs, Mitchell, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner, Simpson, Stannard, Sutton, Townsend, VanderCook, Wescott, Wiley, Winter, Wood and Young—47.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barnum, Bettis, Beath, Blackman, Bovay, Brooks, Bunn, Burt, Child, Clise, DeWolf, Dickson, Farwell, Golden, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Johnson, Judd, Kiefer, Langland, Lewis, Miller, Moore, Nash, Ordway, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting and Mr. Speaker—42.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Schmidtner:

No. 516, A., a bill for an act to amend chapter 120, of the

Revised Statutes, entitled "appeals to the circuit or county court, from justice's judgment;"

To committee on the Judiciary.

By Mr. Seaton:

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin with intent to pass the same as false;

To committee on the Judiciary.

By Mr. Bartlett:

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

To committee on Town and County Organization.

By Mr. Goodwin:

No. 519, A., a bill for an act to amend section 2, of chapter 37, of the Revised Statutes, entitled "of the support of bastards;"

To committee on the Judiciary.

By Mr. Elmore:

No. 520, A., a bill for an act to appropriate to William E. Cramer the sum of \$93;

To committee on Claims.

By Mr. Speaker:

No. 521, A., a bill for an act to amend and consolidate an act entitled "an act to incorporate the city of Racine in the county of Racine," approved Aug. 8, 1848, and the several acts amendatory thereof;

To committee on Incorporations.

By Mr. Hammarquist:

No. 522, A., a bill for an act authorizing the town of Oakland to subscribe for fifty shares of the capital stock of the Union Hall Co., and to levy a tax to pay for the same;

On motion of Mr. Hammarquist,

The rules were suspended, and

No. 522, A.,

Was read a third time and passed, and the title agreed to.

By Mr. Hayden:

No. 523, A., a bill for an act to repeal chapter 148, of the General Laws of 1858, exempting sixty days earnings to mechanics and laborers;

To committee on the Judiciary.

By Mr. Goodwin:

No. 524, A., a bill for an act to amend chap. 211, of the laws of 1859, entitled "an act to provide for the election of directors of railroads or other corporations in certain cases;"

To Committee of the Whole.

By Mr. Keogh :

No. 525, A., a bill for an act to authorize the city of Milwaukee to construct a certain bridge ;

To committee composed of the Milwaukee delegation.

And

No. 526, A., a bill for an act to appropriate to Theodor Hartung the sum of \$52 50 ;

To committee on Claims.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills, respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 77, A., a bill for an act to repeal chapter 830, of the Private and Local Laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1856, entitled "an act to amend chapter 330, of the Private and Local Laws of 1855."

M. HOWLAND, *Ch'n.*

The committee on Claims, to whom were referred bills

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 507, A., a bill for an act to purchase town laws of B. Domschke, and to appropriate certain money therein mentioned;

Have had the same under consideration, and have directed me to report them back with amendments, with the recommendation that they do pass as amended.

HEBER SMITH, *Ch'n.*

The joint committee on Enrolled Bills report that on the 14th inst., they presented to the Governor for his approval, the following bills, viz:

No. 261, A., a bill for an act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the third judicial circuit to hold special terms of the circuit court;

No. 264, A., a bill for an act to amend an act entitled "an act to incorporate the village of Geneva;"

No. 219, A., a bill for an act to annex certain territory to Geneva school district No. 1;

No. 229, A., a bill for an act to incorporate the village of Fort Atkinson;

No. 416, A., a bill for an act to amend an act entitled an act to incorporate the city of La Crosse, and the several acts amendatory thereto, approved March 14, 1856.

C. MILLER, *of Assem. Com.*

GEO. BENNETT, *of Sen. Com.*

The committee on Swamp and Overflowed Lands, to whom was referred, bill

No. 506, A., a bill for an act to provide for the expenditure of the drainage fund money, in the county of Trempeleau;

Have had the same under consideration, and report the same back recommending its passage.

Also, bill

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town;

Also,

Mem. No. 167, A., relative to the same,

And report the same back, without recommendation.

WHITTLESEY, *Ch'n.*

The committee on Town and County Organization, to whom was referred bill

No. 470, A., a bill for an act to organize the county of Ashland;

Have duly considered said bill, and herewith report the same back to the Assembly, with an amendment, and recommend its passage when so amended.

J. P. DICKSON, *Ch'n.*

The committee on the Judiciary, to whom was referred

Mem. No. 297, A., memorial of John Elsmore, Platt Durand and others, in behalf of Rev. Samuel Smith;

Have had the same under consideration; and have instructed me to report the same back to the Assembly, and recommend that the prayer of the memorialist be denied.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills have had the same under consideration, and have instructed me to report the same back the Assembly and recommend that they severally do pass:

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan, to levy and collect a tax to pay

interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

No. 462, A., a bill for an act authorizing the town clerk of the town of Port Washington to convey real estate;

No. 488, A., a bill for an act to amend section 88, of chapter 184, Revised Statutes, entitled "of executions, and proceedings supplementary thereto."

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill No. 141, A., a bill for an act to locate and establish school house sites;

Have had the same under consideration and have instructed me to report the same back the Assembly with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on Claims to whom was referred accounts

No. 20, A., the account of Francis W. Newland, as commissioners to seize timber and logs cut on swamp lands in this State;

No. 67, A., the account of H. Bingham for firing 100 guns in honor of the birth of Washington;

No. 74, A., the account of O. G. Scofield for extra services in office State Treasurer for 1859;

Have had the same under consideration and report them back by bills

No. 527, A., a bill for an act to appropriate to Francis W. Newland, the sum of \$422 50;

No. 528, A., a bill for an act to appropriate to H. Bingham, the sum of \$80;

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200;

And recommend that said bill do pass.

HEBER SMITH, *Ch'n.*

Bills Nos. 527, 528 and 529, A.,

Were read a third time and placed on the general file.

The select committee to whom was referred

No. 380, A., entitled a bill for an act prescribing the place of filing chattel mortgages on certain classes of property;

Report the same back with an amendment, and recommend the passage of the same as amended.

GAB. BOUCK,

GEO. B. GOODWIN,

M. COLES,

M. B. PATCHIN,

GEO. S. BARNUM,

JNO. C. LEWIS.

The committee on Incorporation, to whom was referred bill No. 393, A., a bill for an act to enable the city of Fond du Lac to settle with bondholders;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment, and recommend its passage.

R. BUNN, *Ch'n.*

Said bill was ordered engrossed for a third reading.

The select committee, consisting of the Dodge county delegation, to whom was referred bill

No. 505, A., a bill for an act to legalize the organization and proceedings of the trustees of the "Regular Baptist Society, of Lowell;"

Report the same back and recommend its passage.

H. C. GRIFFIN, *Ch'n.*

The rules were suspended, and the bill read a third time and passed.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate concurred in passage of

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad;

No. 410, A., a bill for act to appropriate to Seth M. VanBergen the sum of \$765 83;

And has amended and concurred in as amended

No. 76, A., a bill for an act to provide for the bringing of suits upon sheriff's bonds;

No. 343, A., a bill for an act to provide for laying out a State road from Shawano to the State line;

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer, of the county of Chippewa, for the non payment of taxes for the year 1857.

And has passed, and asks concurrence of the Assembly in

No. 488, S., a bill for an act to perfect the laying out of a State road from Howard City, in Dane county, to the village of Waterloo, in Jefferson county;

No. 183, S., a bill for an act to promote the construction of horse railways in the city of La Crosse;

No. 238, S., a bill for an act authorizing the German Evangelic Lutheran Society, of the village of Manitowoc, to reor-

ganize, and to change their corporate name, and to legalize the acts of said society;

No. 268, S., a bill for an act to amend an act entitled an act to amend an act entitled an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof;

I am further directed to present to you for signature

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's Dictionary, for the supply of deficient school districts of the State;

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon;

No. 117, S., a bill for an act to provide for the removal of the county seat of Buffalo county.

And further to inform you that the Senate has indefinitely postponed

No. 282, A., a bill for an act to amend chapter 409, of the Private Laws of Wisconsin for the year 1856, entitled an act to incorporate the Ripon and Wolf River Railroad.

Said bills were signed by the Speaker.

SENATE MESSAGE TAKEN UP.

The Senate amendments to

Nos. 343, and 357, A.,

Were concurred in.

No. 76, A.,

Was referred to the committee on the Judiciary.

Nos. 183, 268, 238 and 488, S.,

Were read first and second times, and

Placed on the general file.

No. 179, S., a bill for an act to reduce the capital stock of the Clark County Bank;

And

No. 57, S., a bill authorizing the city of Hudson to issue bonds;

Were read first and second times, and

Placed on the general file.

BILLS ON THEIR THIRD READING.

No. 119, S., a bill to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

Was read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled "an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie and their successors, to build and maintain a dam across the Wisconsin river;

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee;

No. 224, A., a bill for an act to legalize the organization of joint school district No. 7, of Burke and Blooming Grove;

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges;

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled of "appeals, writs of error, and proceedings thereon;"

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;"

No. 383, A., a bill for an act to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved Feb. 20, 1852, and to amend the several acts amendatory thereof;

No. 384, A., a bill for an act to amend sec. 53, chap. 140, of the Revised Statutes, entitled "of miscellaneous proceedings in civil actions and general provisions;"

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay;

No. 418, A., a bill for an act to amend an act entitled an act to incorporate the village of Waterloo, approved March 15, 1859;

And

No. 331, A., a bill for an act to legalize an appropriation and appointment made by the county board of supervisors of Oconto county;

The title to.

No. 331, A.,

Was amended so as to read as follows:

"A bill for an act to authorize the board of supervisors of the county of Oconto to pay for the construction of the State road from Fort Howard, Brown county, to the Menomonee River."

THE SPECIAL ORDER,

No. 116, A., a bill for an act to authorize the Governor to appoint commissioners of foreign emigrants;

Being under consideration,

On motion, said bill

Was referred to the committee on claims.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 123, S., a bill for an act to repeal chapter 48, of the General Laws of 1858, entitled "an act to amend section 5, of chapter 121, of General Laws of 1856, entitled "an act concerning railroads;"

And

No. 323, A., a bill for an act to amend section 110, of chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

Were indefinitely postponed.

No. 257, A., a bill for an act to remit certain penalties imposed by sections 62 and 117, of chapter 28, of the Revised Statutes, entitled "of the school and university lands,"

Was indefinitely postponed,

By the following vote:

Those who voted in the affirmative were

Messrs. Ballantine, Barnum, Bettis, Beath, Blackman, Bouck, Bovay, Boyd, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Dockry, Fairchild, Golden, Griswold, Hammarquist, Hayden, Holton, Horn, Horton, Johnson, Judd, Kiefer, Langland, Lewis, Meigs, Mitchell, Moore, Mulholland, Nash, Ordway, Palmer, Patchin, Rogers, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Winter and Young—52.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Baldwin, Brooks, Coles, Elmore, Farwell, Goodwin, Hartung, Humann, Jackson, Keogh, McMichael, Munn, Neville, Phillips, Robertson, Ruan, Schmdtner, Sutton, VanderCook, Wiley, Wood, and Mr. Speaker—24.

The Assembly refused to order to be engrossed

M. C. No. 4, A., memorial to Congress for a grant of land to the State of Iowa to aid in the construction of the McGregor, St. Peters and Missouri River Rail Road;

Also,

No. 369, A., a bill for an act to amend section 1, of chapter 115, of the Revised Statutes, entitled "of the Supreme Court;"

By the following vote:

Those who voted in the affirmative were:

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Bouck, Bovay, Bunn, Coles, Dockry, Elmore, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Holton, Horn, Humann, Hunkins, Johnson, Keogh, Mulholland, Nash, Neville, Ordway, Palmer, Robertson, Ruan, Schmidtner, Smith, VanderCook and Wood—35.

Those who voted in the negative were

Messrs. Ballantine, Barnum, Bartlett, Bettis, Beath, Blackman, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, DeWolf, Dickson, Fairchild, Farwell, Grover, Horton, Howland, Jackson, Judd, Kiefer, Langland, Lewis, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Rogers, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Upson, Westby, Wescott, Wheeler, Whittlesey, Whiting, Young and Mr. Speaker—46.

No. 454, A., a bill for an act to incorporate the La Crosse Savins and Improvement Co.;

Was laid on the table.

The enacting clause to

No. 91, A., a bill for an act for the publication of the session laws in two newspapers in each county of this State;

Was stricken out by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altehofen, Barnum, Bettis, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Burt, Child, Cobb, Coles, DeWolf, Dickson, Dockry, Fairchild, Griffin, Griswold, Grover, Horn, Howland, Hunkins, Judd, Kiefer, Lewis, McMichael, Meigs, Moore, Munn, Nash, Ordway, Palmer, Phillips, Ruan, Smith, Spottswood, Stannard, Sutton, Upson, VanderCook, Wheeler, Whittlesey and Winter—46.

Those who voted in the negative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Bartlett, Runn, Clise, Elmore, Farwell, Golden, Goodwin, Hammarquist, Hartung, Hayden, Holton, Horton, Humann, Jackson, Keogh, Langland, Mitchell, Neville, Patchin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Sumner, Weage, Westby, Wescott, Whiting, Wiley, Wood, Young and Mr. Speaker—37.

Mr. Bouck moved to reconsider said vote, and moved to lay the motion to reconsider on the table;

Which was agreed to.

No. 461, A., a bill to authorize the city of Milwaukee to construct and maintain certain bridges;

And

No. 485, A., a bill for an act relating to repairs of plank and turnpike roads;

Were ordered to be engrossed for a third reading.

Mr. Goodwin asked leave of absence for Mr. Townsend for one day;

Leave was granted.

Mr. Wheeler moved that the report of the minority of the committee on the Militia, purporting to be the report of the committee, which was submitted on yesterday, and which appears in the printed journal of the 13th inst., be expunged from the journal;

Upon which motion,

The ayes and noes were called for and ordered,

And said report was ordered to be expunged by the following vote :

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Burt, Child, Cobb, DeWolf, Dickson, Farwell, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Johnson, Judd, Kiefer, Langland, Lewis, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Rogers, Smith, Stannard, Sumner, Upson, Weage, Westby Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—50.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Botick, Boyd, Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hartung, Horn, Humann, Hurkins, Jackson, Keogh, Mackay, Mulholland, Munn, Neville, Palmer, Patchin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Sutton, VanderCook, Wiley and Winter—33.

Mr. Griswold moved that the committee on Militia be discharged from the further consideration of the Governor's message, and that it be referred to the committee on the Judiciary.

Mr. Horn moved to amend said motion by striking out "the Judiciary," and inserting "charitable and religious societies;"

Which was not agreed to.

The question occurring on Mr. Griswold's motion,

The ayes and noes were called and ordered,

And the motion was lost by the following vote—ayes 39, noes 46.

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Bartlett, Bettis, Bovay, Brooks, Bugh, Burt, Child, Cobb, DeWolf, Dickson, Golden, Goodwin, Griswold, Hammarquist, Holton, Horton, Howland, Johnson, Judd, Langland, Lewis, Miller, Mitchell, Moore, Rogers, Smith, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Whiting, and Wood—39.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barnum, Beath, Bouck, Boyd, Bunn, Clise, Coles, Dockry, Elmore, Fairchild, Farwell, Griffin, Grover, Hartung, Hayden, Horn, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Sutton, Wheeler, Wiley, Winter, Young, and Mr. Speaker—46.

The Speaker ruled that the "Governor's Message stands committed to the committee on the Militia, under the original order of the Assembly."

REPORT.

The joint committee on Enrolled Bills report that on the 13th inst., they presented to the Governor for his approval, the following bills :

No. 243, S., for an act to authorize the commissioners of school and university lands to remit penalties in certain cases, and to change the time for the annual distribution of the school fund income ;

No. 194, S., for an act to incorporate the First Universalist Church of Monroe ;

No. 175, S., for an act relating to the State tax of the county of Door ;

No. 159, S., for an act to repeal chapter 132, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad ; also chap. 502, of the Private and Local Laws of 1856, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad," approved Oct. 11, 1856 ; also, chapter 138, of the Private and Local Laws of 1858, entitled "an act to authorize the city of Oshkosh to aid in the construction of a railroad ;"

No. 136, S., for an act to amend an act entitled "an act to incorporate the La Crosse Hydraulic Co. ;"

No. 125, S., for an act to amend an act entitled "an act to incorporate the city of Prescott ;"

No. 116, S., for an act to authorize the Secretary of State to audit the annual appropriation to county agricultural societies.

GEO. BENNETT,
of Senate Committee.
C. MILLER,
of Assembly Committee.

On motion of Mr. Judd,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.
On leave, Mr. Bouck made the following

REPORT :

The select committee to whom was referred
No. 147, S., a bill for an act to amend an act to incorporate
the city of Oshkosh, &c.;

Report the same back with amendments, and recommend the
passage of same when amended.

And the said committee to whom was also referred

No. 222, S., entitled a bill for an act relating to the public
schools in the city of Oshkosh ;

Report the same back with an amendment, and recommend
the passage of the same when amended.

GAB. BOUCK.

The amendments to said bills were concurred in, and

On motion of Mr. Bouck,

The rules were suspended, and

Nos. 147, and 222, S.,

Were read a third time and concurred in.

On motion of Mr. Smith,

The rules were suspended, and

No. 288, S., a bill for an act to perfect the laying out of a
State road from Howard City, in Dane county, to the village
of Waterloo, in Jefferson county;

Was taken from the general file;

Read a third time and concurred in.

On leave, the following bills and memorials were introduced
and referred:

By Mr. Bunn:

Mem. No. 816, A., remonstrance of Bill Price and 120 oth-
er persons, citizens of Jackson county, against striking cer-
tain territory from said county, and attaching the same to the
county of Trempeleau;

To committee on Town and County Organization.

By Mr. Neville:

Mem. No. 817, A., of Sarah B. Strong, for the payment of
two bonds, named herein, issued by the State of Wisconsin,
for work done on the Fox and Wisconsin Improvement;

To select committee on that subject.

By Mr. Goodwin:

No. 530 A., a bill for an act to amend chapter 43, of the Private and Local Laws of 1859, entitled "an act to alter and establish the State road from Chilton to Menasha, and to provide for improving the same;

Which was read first and second times.

On motion of Mr. Goodwin,
The rules were suspended, and

No. 530, A.,

Was read a third time and passed,
And the title agreed to.

By Mr. Neville:

No. 531, A., a bill for an act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

Which was read the first and second times, and
Referred to the committee on State Affairs.

On motion of Mr. Kingsbury,

No. 271, A., a bill for an act to provide for the removal of the county seat of Sheboygan county to the village of Sheboygan Falls;

And

No. 483, A., a bill for an act for the removal of the county seat of Sheboygan county to the village of Plymouth in said county,

Was made the special order for to-morrow at 11 o'clock.

On motion of Mr. Phillips,

No. 77, A., a bill for an act to repeal chap. 830, of the private and local laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

And,

No. 79, A., a bill for an act to repeal chap. 508, of the Private and Local Laws of 1856, entitled "an act to amend chapter 830, of the Private and Local Laws of 1855;"

Were made the special order for to-morrow, at 10 o'clock.

BILLS,

On which the Committee of the Whole had made progress, and asked leave to sit again.

On motion of Mr. Griswold,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chap. 15, of

the Revised Statutes, entitled 'of the assessment and collection of taxes;'"

And,

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes," and the acts amendatory thereto;

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration Nos. 11, S., and 412, A., had made progress therein, and asked leave to sit again;

Leave was granted.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to inform you that the Senate has passed, and asks the concurrence of Assembly in

No. 200, S., a bill for an act to amend chap. 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest :"

No. 258, S., a bill for an act to authorize the school land commissioners to remit certain penalties ;

No. 289, S., a bill for an act to provide for reimbursement of certain moneys to the general fund from the swamp land fund ;

No. 132, S., a bill for an act to appropriate to Wakeley & Tenney the sum of \$250 ;

No. 188, S., a bill for an act concerning the transcribing of records ;

No. 199, S., a bill for an act to amend chap. 151, of the Revised Statutes, entitled "of forcible entry, and unlawful detainer ;"

No. 228, S., a bill to amend sec. 12, of chapter 111, of the Revised Statutes, entitled "of divorce ;"

No. 23, S., a bill for an act concerning judgments in certain cases ;

No. 167, S., a bill for an act concerning bills of exchange and promissory notes ;

No. 197, S., a bill for an act to amend chap. 22, of the Gen. Laws of 1859, entitled an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;

No. 192, S., a bill for an act to incorporate the Mississippi Bottom Plank Road and Ferry Company ;

No. 232, S., a bill for an act to amend Revised Statutes, entitled of miscellaneous proceedings in civil actions, and general provisions ;

I am further directed to inform you that the Senate has indefinitely postponed

No. 171, A., a bill for an act to vacate block 20, of Vliet's Addition, to the city of Milwaukee;

No. 174, A., a bill for an act to repeal section 1, of chapter 113, of the General Laws of 1859, entitled of liens of mechanics and others;

No. 185, A., a bill for an act to vacate block No. 7, to Cross & Ludington's addition to Milwaukee;

REPORT.

The committee on Enrolled Bills report that they have examined the following bills, and find them correctly enrolled:

No. 3-7, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the year 1860;

No. 210, A., a bill for an act prescribing the mode of sales on judgments of courts in certain cases;

No. 14, A., a bill for an act authorizing persons having a lien upon land to pay the taxes upon the same;

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856;

No. 138, A., a bill for an act to restore William Greeno to citizenship;

No. 157, A., a bill for an act to amend an act, entitled, "an act to incorporate the Mutual Life Insurance Company of the city of Madison," approved March 19, 1859;

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain case;

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors;

No. 317, A., an act to appropriate to Church & Hawley the sum of one hundred and ninety-eight dollars and sixty-one cents;

No. 99, A., an act to amend sections 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties and their boundaries;

No. 57, A., an act to provide for the disposal of the drainage fund moneys in the county of Fond du Lac.

No. 56, A., an act to incorporate the Workmen's Relief Association of the city of Watertown;

No. 85, A., an act to amend chapter 91, of the Laws of

15, 1860.]

THE ASSEMBLY.

707

1858. entitled an act to provide for the protection of stockholders of railroad corporations;

And

No. 165, A., an act to incorporate the village of Pepin.

C. MILLER, *Ch'n. Assem. Com.*

On motion of Mr. Boyd,
The Assembly adjourned.

THURSDAY, MARCH 15, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Mason officiated as chaplain.

On motion of Mr. Patchin,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Blackman,

The rules were suspended, and

No. 200, S., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest;"

Was taken from the Senate Message,

Read first and second times, and

Referred to the select committee under Res. No. 16, A.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Burt:

Mem. No. 318, A., of John Parker and 78 others, legal voters, for removal of county seat of Green Lake county;

To committee on Town and County Organization.

ACCOUNTS,

Presented and referred to committee on Claims:

By Mr. Fairchild:

No. 79, the account of S. G. Benedict.]

RESOLUTIONS INTRODUCED.

By Mr. Whittlesey:

Res. No. 126, A.,

Whereas, The Hon. Mr. Howland has refused the postage stamps appropriated to him, therefore,

Resolved, That the Superintendent of Public Property is hereby required to distribute the same equally among the members of this House;

• The rules were suspended,

And said resolution laid upon the table.

RESOLUTIONS CONSIDERED.

Res. No. 123, A.,

Relative to throwing clubs, books, bricks, &c.;

Introduced by Mr. Horton yesterday,

Was laid on the table.

Res. No. 124, A.,

Inquiring of the Secretary of State relative to Supreme Court Reports;

Introduced by Mr. Bugh, yesterday,

Was adopted.

Res. No. 125, A.,

Appointing select committee of five to examine the public records;

Introduced by Mr. Sutton, yesterday,

Was laid on the table.

On motion of Mr. Whittlesey,

The rules were suspended, and

No. 57, S., a bill for an act authorizing the city of Hudson to issue bonds;

And

No. 180, S., a bill for an act to amend an act entitled an act to annex certain territory to the town of Hudson;

Were taken from the general file.

No. 180, S.,

Was read a third time and concurred in.

No. 57, S.,

Was postponed until to-morrow morning.

On motion of Mr. Schmidtner,

Account No. 61, A., of Mygatt & Schmidtner;

Was referred to the committee on the Judiciary.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. Rankin:

No. 533, A., a bill for an act relating to the assessment of taxes,

To select committee under Res. No. 22, A.

By Mr. Phillips:

No. 532, A., a bill for an act to lay out a State road from Wausau to the State line north, and to make an appropriation therefor;

To committee on Swamp and Overflowed Lands.

By Mr. Elmore:

No. 534, A., a bill for an act to amend chapter 9, of the Revised Statutes, entitled "of the Legislature," and also acts of a general nature of 1858, incorporated therein;

To committee of the Whole.

By Mr. Ruan:

No. 535, A., a bill for an act to amend section 1, of chapter 59, of the Revised Statutes, entitled "of the rates of toll for grinding;"

To committee on Agriculture.

By Mr. Howland:

No. 536, A., a bill for an act providing for the payment of costs in certain cases;

To committee on the Judiciary.

By Mr. Bow:

No. 537, A., a bill for an act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston," approved May 8, 1858;

To committee on Incorporations.

By Mr. Bachuber:

No. 538, A., a bill for an act concerning fences;

To committee on Expiration and Re-enactment of Laws.

By Mr. Burt:

No. 539, A., a bill for an act to remove the county seat of Green Lake county;

To committee on Town and County Organization.

By Mr. Horn:

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on State Prison;

To committee on Claims.

By Mr. Patchin:

No. 541, A., a bill for an act to change the name of Martha Pherm, and to establish her guardianship and heirship;
To committee on Charitable and Religious Societies.

By Mr. Fairchild:

No. 542, A., a bill for an act to provide for the incorporation of fire companies;
To committee on Incorporations.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed, under rule 48:

No. 377, A., a bill for an act concerning warehouse receipts, and bills of lading, and to repeal section 36, of chapter 165, of the Revised Statutes, entitled "of offences against property;"

No. 431, A., a bill for an act concerning the coupons of the capitol extension bonds, issued by the city of Madison;

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 15;

No. 465, A., a bill for an act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

No. 485, A., a bill for an act relating to repairs of plank and turnpike roads.

M. HOWLAND, Ck'n.

The undersigned, a minority of the committee on Town and County Organization, to whom was referred,

No. 271, A., a bill for an act to provide for the removal of the county seat of Sheboygan county;

Also,

Mem. No. 166, A., of 1521, citizens of the county of Sheboygan, praying for the removal of the county seat of said county to Sheboygan Falls;

Also,

Mem. No. 180, A., of 160 legal voters of Sheboygan county, for the passage of a law for the removal of the county seat of Sheboygan county to Sheboygan Falls;

Also,

Mem. No. 191, A., of 69 citizens of said county, praying for the removal of the county seat to Sheboygan Falls;

Also,

Mem. No. 286, A., of P. H. Smith and 788 legal voters of

the county of Sheboygan, praying for the passage of a law for the removal of the county seat of Sheboygan county to the village of Plymouth;

Also,

Mem. No. 172, A., of 1470 legal voters of Sheboygan county against the removal of the county seat of Sheboygan county;

Also,

Mem. No. 200, A., of 232 legal voters of said county against the passage of a law for the removal of the county seat of said county;

And the undersigned having had the said bill, petitions and remonstrances under consideration, hereby respectfully beg leave to report and recommend that the Assembly do not concur in the report of the majority of your committee, but that said bill No. 271, do pass.

While the undersigned is clearly of the opinion that the frequent submission of local questions to the popular vote, is often attended with disastrous consequences, and calculated to corrupt the morals of the people, but at the same time the undersigned believes that there are cases in which it is eminently just and proper that local questions should be submitted to the people.

The undersigned finds that the county seat was located at the town of Sheboygan by act of the territorial Legislature in the year 1836; and that by an act of the territorial legislature passed in 1840, the county officers were required to hold their offices at Sheboygan Falls. In 1845 said act was repealed, and a law passed requiring that the county offices should be kept at the county seat, at the town of Sheboygan. In the year 1846, the legislature submitted to the people of Sheboygan county, the question whether the county commissioners should levy a tax to build a jail and court house or not, which proposition was rejected by a majority of the voters of said county.

In the year 1850, the legislature passed an act providing that the supervisors of said county of Sheboygan should, previous to the first of July in that year, levy and collect a tax for the purpose of building a county jail, and that at their first annual meeting in 1851, they should levy a tax for the purpose of building a suitable court house; and that one half of said tax should be levied on the town of Sheboygan, and one half on the remaining towns in said county. Said act further provided that in the month of April of that year, the electors might vote for and against the adoption of said act, and if a majority of the votes cast should be in favor of building county buildings, then said act should take effect, but if a majority of the votes

should be against building county buildings, then said act should be null and void ; and at said election a majority of the whole number of votes cast was against building county buildings.

The city of Sheboygan is situated on the lake shore near the center of the county, north and south, at which point there is a harbor of great advantage to said city, and towards the building of which all parts of the county contributed liberally. Said city has a population estimated at about five thousand inhabitants. Sheboygan Falls has a population estimated at from twelve to fourteen hundred inhabitants, and is situated six miles from Sheboygan city, and is connected with said city by railroad. Sheboygan Falls has a good water power, and is a manufacturing town of considerable importance, having several large flouring mills, two double saw mills, an iron foundery, carding machines, and a number of other manufacturing establishments.

Besides the Railroad which runs from the city of Sheboygan west through Sheboygan Falls, there are several plank roads extending in different westerly directions from said city.

The people of Sheboygan city, as well as all other portions of the county, have been at great expense, and have shown a degree of enterprise and liberality in contributing largely to the construction of railroads, harbors, plank roads, &c., all of which are of great advantage to the people of Sheboygan and neighboring counties.

The undersigned has at all time been, and now is of the opinion that questions of this character should never be submitted to the popular vote until it be made to appear that such submission is called for by at least a respectable majority of the inhabitants of the county who choose to make their views on the subject known to the Legislature. In the case considered by the undersigned, it is clearly apparent that a majority of the people of Sheboygan county are in favor of having the question of removal of the county seat submitted to them.

The passage of the bill for removal to Sheboygan Falls is prayed for by 1750 voters of said county, and the passage of a bill for the removal of the county seat to Plymouth is prayed for by 738 legal voters of said county, while the passage of a bill for the removal of the county seat is remonstrated against by only 1702 legal voters of said county, showing a majority of those who have made known their wishes to the Legislature, on this subject, of forty-eight in favor of removal to Sheboygan Falls, and a majority of those who are in favor of removal from Sheboygan City of 786, which the undersigned thinks is a very respectable majority and one that is worthy of great consideration.

Said county is divided into three Assembly districts, which are represented by Messrs. Kingsbury, Rogers and Stannard. Mr. Kingsbury, representing the city of Sheboygan. By reference to the election returns of said county for the year 1859, the following number of votes were cast in each of the several Assembly districts, to wit: In the district represented by Mr. Kingsbury, 1037; in the district represented by Mr. Rogers, 1207; in the district represented by Mr. Stannard, 1367. Messrs. Rogers and Stannard, representing 1537 more voters than Mr. Kingsbury, and taking it for granted that each of those gentlemen fairly represent their respective districts, it would go to prove that more than two-thirds of all the legal voters of said county are in favor of the submission of said question, and the people of said county never having had the privilege of voting on the location of the county seat of said county, and it being conceded by all parties that there is no county buildings at Sheboygan City which are of any considerable value.

WM. C. McMICHAEL,
Member of Com. on Town and Co. Org.

The committee on Mining and Smelting to whom was referred bill

No. 147, A., for an act relative to persons mining for lead ore or other minerals;

Have had the same under consideration, and instructed me to report the same back with an amendment, and recommend that it do pass as amended.

S. F. CLISE, *Ch'n.*

The committee on Railroads to whom was referred

No. 56, S., a bill for an act to amend chapter 79, of the Revised Statutes passed 1858, entitled "of railroads;"

Have had the same under consideration, and have instructed me to report said bill back to the Assembly with the recommendation that it pass.

WM. E. WHEELER, *Ch'n.*

The committee on Claims to whom was referred account

No. 77, A., the acct of A. G. Darwin, for wood for use of State;

Have had the same under consideration, and report it back by bill

No. 543, A., a bill for an act to appropriate to A. G. Darwin, the sum of \$257 56;

And recommend the passage of said bill.

Also accounts

No. 12, A., the account of Orton & Bryant, for services as counsel in the cases of State ex. rel. Merrill & Webb ;

No. 84, A., the account of Solon G. Dodge, register of deeds, Fond du Lac county, for abstracting lands mortgaged to the State ;

No. 85, A., the account of James V. McCall, clerk board of supervisors, Fond du Lac county, for abstracting lands mortgaged to State ;

No. 75, A., the account of E. Wescott, register of deeds, Grant county, in 1855 and 1856, abstracting lands mortgaged to State, by order of Investigating Committee of the Legislature ;

Have had said accounts under consideration, and report them back with the recommendation that the owners have leave to withdraw the same.

H. SMITH, *Ch'n.*

Bill No. 543, A.,

Was read twice and sent to the general file.

On motion of Mr. Cobb,

Account No. 12, A.,

Was recommitted with instructions to report by bill or resolution.

The committee on Claims, to whom was referred bill

No. 515, A., a bill for an act to appropriate to the Uniform Companies of this State, a certain amount of money;

Have had the bill and accompanying message under consideration, and have instructed me to report them back and recommend their reference to the committee on the Militia.

Also,

No. 116, A., a bill for an act to authorize the Governor to appoint commissioners of foreign emigration;

No. 526, A., a bill for an act to appropriate to Theodore Hartung the sum of \$52 50;

Have had said bills under consideration, and report them back and recommend their indefinite postponement.

HEBER SMITH, *Ch'n.*

No. 515, A.,

Was referred to the committee on the Militia.

No. 116, A.,

Was, on motion of Mr. Cobb,

Postponed until Tuesday next, and made the special order for that day, at 10 o'clock, A. M.

The committee on Federal Relations, to whom was referred

J. Res. No. 20, A.,
Introduced by Mr. Judd on the 10th ult.,
Have had the same under consideration, and have instructed
me to report the same back to the Assembly without recommen-
dation.

W. P. BARTLETT, *Ch'n.*

The committee on Federal Relations, to whom was referred
J. Res. No. 4, A.,
Have had the same under consideration, and have instructed
me to report the same with amendments, and recommend its
passage when so amended.

W. P. BARTLETT, *Ch'n.*

The select committee under resolution No. 22, to whom was
referred bill

No. 253, A., a bill for an act to amend chapter 18, of the
Revised Statutes, entitled of the assessment and collection of
taxes;

Also,

Bill No. 85, S, a bill for an act to regulate and license the
keeping of dogs;

Have had the said bills under consideration, and instructed
and directed me to report the same back with the recommenda-
tion that the same do pass.

The committee have had under consideration bill

No. 88, A., a bill for an act to provide for a tax on dogs ;
And instructed me to report the same back, with the recom-
mendation that the same be indefinitely postponed.

The said committee report back

Mem. No. 287, A., of J. H. Leitch and 280 others, citi-
zens of the town of Wiota, in La Fayette county, praying for
a tax on dogs;

Also,

Mem. No. 213, A., a petition of Henry Grimshaw and 67
others, for the passage of a law levying a tax on dogs;

And directed me to report the same back, to accompany bill
No. 85, S.

A. E. ELMORE, *Ch'n.*

The committee on Town and County Organization to whom
was referred

No. 447, A., a bill for an act to amend chapter 2, of the
Revised Statutes, entitled "of the division of the State into
counties, and their boundaries;"

And have considered the same, and directed me to report

the same back to the Assembly with an amendment, and recommend that it do pass when so amended.

J. P. DICKSON, *Ch'n.*

The committee consisting of the members from the city of Milwaukee, to whom was referred

No. 525, A., a bill for an act authorizing the city of Milwaukee to construct a certain bridge;

Have had the same under consideration, and report the same back to the Assembly without amendment and recommend the passage thereof.

H. L. PALMER,
EDWARD KEOGH,
E. D. HOLTON,
E. G. HAYDEN,
MATII. HUMANN.

Mr. Schmidtner dissenting.

The committee on Education, School and University Lands to whom was referred

No. 501, A., a bill for an act to incorporate the German Free School Association of the city of Racine;

Have had the same under consideration, and consider that ample provision is made for all the purposes sought by the bill, in chapter 55, of the General Laws of 1853, and therefore recommend its further consideration be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The select committee under Res. No. 16, A., to which was referred that part of the Governor's message as relates to the rate of interest have had the same under consideration, and submit the following report—

Your committee cannot agree with the recommendations of the Governor upon the subject matter under consideration. Under existing circumstances, your committee are of the opinion that it would be *unwise* and *impolitic* to resort to such a sudden and extreme change in our law.

It is conceded by nearly all, that the banking law cannot be altered in relation to the rate of interest except by a vote of the people, and as that law allows our banking institutions to do business upon ten per centum interest, your committee are of the opinion that it would not be sound policy or good economy in this Legislature to make any great or radical change in the existing law.

Therefore, your committee do not feel warranted in recommending a very great change at this time, for by so doing we

believe it would have a tendency to drive more capital into our banks, a result which would not be beneficial to the best interest of the people of the State.

Your committee are unqualifiedly of the opinion that the rate of interest upon money exceeds, almost, if not entirely, every branch of industry, thereby tending in its operations to *discourage* all industrial pursuits, and on the contrary, to encourage idleness and speculation—favoring capital rather than rewarding labor. Such a condition should not longer exist, and were we to legislate in favor of either, we believe it should be to encourage labor. But we should studiously avoid either extreme.

The object of legislation upon this subject should be to keep the profits of capital and labor in as nearly an equilibrium as possible. Therefore your committee would recommend that the maximum rate of interest should be at once reduced to ten per cent., as there should be no discrimination between the private and banking interest of the State.

Your committee have also had under consideration

Mem. No. 174, A.,

And

Bill No. 87, A.,

And report them back, with the recommendation that they be indefinitely postponed.

And have also considered bill

No. 200, S.,

And report the same back with the recommendation that the same do pass.

WM. W. BLACKMAN,
A. E. BOVAY,
E. C. TOWNSEND,
B. HUNKINS.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to request the Assembly to return to the Senate

No. 174, A., a bill for an act to repeal section 1, of chapter 113, of the General Laws of 1859, entitled of the liens of mechanics and others.

Said bill was ordered to be returned to the Senate.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Chief Clerk thereof.

MR. SPEAKER:

I am directed to present to you for signature,
No. 60, S., an act to authorize the Citizens Bank, Oshkosh,
to remove to Black River Falls, Jackson county;

No. 76, S., an act to amend an act, approved March 11th,
1859, entitled an act to amend an act to incorporate the village
of Horicon, approved March 29, 1855;

No. 81, S., an act to amend an act entitled an act to incor-
porate the Yellow River Improvement Company, approved
March 2d, 1857;

No. 105, S., a bill for an act to amend chap. 52, of the Gen-
eral Laws of 1859, entitled "an act relating to the Dane
county court."

No. 181, S., a bill for an act to amend chap. 22, of Revised
Statutes, entitled "of academies and normal schools."

No. 207, S., an act to appropriate to L. P. Harvey the sum
of \$446.75;

No. 242, S., an act concerning testimony and investigation;

No. 257, S., an act to authorize the holding of a special term
of the circuit court, in and for the county of Jefferson.

THE SPECIAL ORDER.

No. 77, A., a bill for an act to repeal chapter 330, of the
Private and Local Laws of 1855, entitled "an act to incorpo-
rate the Wisconsin River Hydraulic Company;"

And

No. 79, A., a bill for an act to repeal chapter 508, of the
Private and Local Laws of 1856, entitled "an act to amend
chapter 330, of the Private and Local Laws of 1855;"

Being under consideration,

Mr. Ordway moved the previous question,

Which was seconded, and

The question being, "shall the main question be now put?"

The previous question was ordered, and

The question being on the passage of

No. 77, A.,

The ayes and noes were called for and ordered, and

The bill was read a third time and passed by the following
vote:

Those who voted in the affirmative, were

Messrs. Alden, Ballantine, Barnum, Bartlett, Bettis, Beath,
Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Clise,

Cobb, Cole, Coles, DeWolf, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Hayden, Horton, Howland, Hunkins, Jackson, Johnson, Judd, Kiefer, Langland, Lewis, Mackay, McKay, Meigs, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Rankin, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting, Wiley, Wood and Young—68.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Boyd, Griswold, Holton, Horn, Humann, Keogh, Mulholland, Munn, Neville, Palmer, Ruan, Schmitdner, Simpson, Sutton and Winter—18.

No. 79, A.,

Was read a third time and passed,
And the title agreed to.

THE SPECIAL ORDER,

For 11 o'clock A. M., being

No. 271, A., a bill for an act to provide for the removal of the county seat of Sheboygan county to the village of Sheboygan Falls;

And,

No. 488, A., a bill for an act for the removal of the county seat of Sheboygan county to the village of Plymouth, in said county,

On motion of Mr. Bouck,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On Nos. 271 and 488, A. ;

Mr. Barnum in the chair.

After some time spent therein the committee rose, and by their chairman reported that they had had under consideration

Nos. 271 and 488, A.,

And reported the same back with the recommendation of indefinite postponement.

REPORT OF COMMITTEE OF THE WHOLE,

Considered.

The question being on the indefinite postponement of

No. 271, A.,

Mr. McKay moved a call of the house,

Which was sustained.

The roll was called, and the following named gentlemen were found to be absent without leave:

Messrs. Blackman, McMichael and Patchin.

On motion of Mr. Judd,

Further proceedings under the call were dispensed with.

The question recurring on the indefinite postponement of No. 271, A, the ayes and noes were called for and ordered, And said bill was indefinitely postponed,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Boyd, Brooks, Clise, Cobb, Coles, Dickson, Dockry, Elmore, Fairchild, Green, Grover, Hartung, Hayden, Horn, Horton, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Lewis, Mackay, Mulholland, Munn, Neville, Palmer, Rankin, Ruan, Schmidtner, Seaton, Simpson, Spotswood, Sutton, Townsend, Wheeler, Whittlesey, Wiley, Winter, Young and Mr. Speaker—47.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Bovay, Bow, Bugh, Bunn, Burt, Child, Cole, DeWolf, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Holton, Howland, Jackson, Langland, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Whiting and Wood—45.

The question occurring on the indefinite postponement of No. 483, A.,

The ayes and noes were called for and ordered,

And said bill was indefinitely postponed,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bartlett, Beath, Bouck, Boyd, Brooks, Child, Clise, Cobb, Coles, Dickson, Dockry, Elmore, Fairchild, Green, Grover, Hammarquist, Hartung, Hayden, Horn, Horton, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Lewis, Mackay, Mulholland, Munn, Neville, Palmer, Rankin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spotswood, Sutton, Townsend, Wheeler, Whittlesey, Wiley, Winter, Young and Mr. Speaker—52.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barnum, Bettis, Bovay, Bow, Bugh, Bunn, Burt, Cole, DeWolf, Golden, Goodwin, Griffin, Griswold, Holton, Jackson, Langland, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Whiting and Wood—39.

Mr. Bouck moved to reconsider the vote by which

No. 271, A.,

Was indefinitely postponed,

And moved to lay the motion to reconsider on the table;

Upon which motion

The ayes and noes were called for and ordered,

And the motion to reconsider was laid on the table, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Beath, Bouck, Boyd, Brooks, Clise, Cobb, Dickson, Cockry, Elmore, Fairchild, Green, Hartung, Hayden, Horn, Horton, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Keifer, Kingsbury, Lewis, Mackay, Meigs, Mulholland, Munn, Neville, Palmer, Rankin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Townsend, Wheeler, Whittlesey, Wiley, Winter, Young and Mr. Speaker—48.

Those who voted in the negative were

Messrs. Alden, Baldwin, Barnum, Bartlett, Bettis, Bovay, Bow, Bugh, Bunn, Burt, Child, Cole, Coles, Golden, Goodwin, Griffin, Griswold, Grover, Holton, Howland, Langland, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Whiting and Wood—41.

Mr. Bouck moved to reconsider the vote by which

No. 483, A.,

Was indefinitely postponed,

And moved to lay the motion to reconsider on the table,

Which was agreed to.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 273, S., a bill for an act regulating railroads;

No. 274, S., a bill for an act exempting certain property therein named from taxation;

No. 298, S., a bill for an act to exempt sewing machines from levy and sale on execution;

I am also directed to present to you for signature,

No. 288, S., a bill for an act to perfect the laying out of a State road from Howard city, in Dane county, to the village of Waterloo, in Jefferson county;

Said bill was signed by the Speaker.

REPORT.

The committee on Enrolled Bills have compared and examined and compared the followed bill and find the same correctly enrolled:

No. 410, A., an act to appropriate to Seth M. Van Bergen, the sum of \$765,83.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

On motion of Mr. Rankin,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

On motion of Mr. Horn,

The rules were suspended, and

Mem. No. 5, S., memorial to the Postmaster General for a change in a mail route;

Was taken from the general file, read a third time and passed.

On motion of Mr. Bovay,

No. 476, A., a bill for an act to provide for submitting to the people the question of calling a convention to revise the constitution;

Was made the special order for to-morrow, after the regular order of business.

On motion of Mr. Weage,

Mr. Baldwin was granted leave of absence until Monday next on account of sickness in his family.

BILLS AND RESOLUTIONS FROM THE SENATE.

On their first and second reading.

The following bills were severally read first and second times and referred:

No. 167, S., a bill for an act concerning bills of exchange and promissory notes;

To committee on Banks and Banking.

No. 278, S., a bill for an act regulating railroad;

And

No. 274, S., a bill for an act exempting certain property therein named from taxation;

To committee on Ways and Means.

No. 23, S., a bill for an act concerning judgments in certain cases;

No. 199, S., a bill for an act to amend chapter 151, of the Revised Statutes, entitled "of forcible entry and unlawful detainer;"

No. 228, S., a bill for an act to amend section 12 of chap. 111, of the Revised Statutes entitled "of divorce;"

And

No. 232, S., a bill for an act to amend section 2, chapter 140, Revised Statutes, entitled "of miscellaneous proceedings in civil actions and general provisions;"

To committee on the Judiciary.

No. 132, S., a bill for an act to appropriate to Wakely and Tenney the sum of \$250;

No. 188, S., a bill for an act concerning the transcribing of records;

No. 192, S., a bill for an act to incorporate the Mississippi Bottom Plankroad and Ferry Company;

No. 197, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

No. 253, S., a bill for an act to authorize the School Land Commissioners to remit certain penalties;

No. 289, S., a bill for an act to provide for reimbursement of certain monies to the General Fund from the Swamp Land Fund;

And

No. 298, S., a bill for an act to exempt sewing machines from levy and sale on execution;

Were placed on the general file.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed;

No. 877, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 36, of chapter 165, of the Revised Statutes; entitled "of offences against property;"

No. 431, A., a bill for an act concerning the coupons of the capitol extension bonds, issued by the city of Madison;

No. 465, A., a bill for an act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

And

No. 485, A., a bill for an act relating to repairs of plank and turnpike roads;

Also,

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 15;

The ayes and noes being required;

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Bovay, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dickson, Dockry, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hartung, Hayden, Holton, Horn, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Langland, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Ruan, Schneider, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Winter, Wood, Young and Mr. Speaker—74

Those who voted in the negative were

Messrs. Bouck, Elmore, Hesk, Horton, Howland and McKay—6.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 372, A., a bill for an act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith;

Was ordered engrossed for a third reading.

BILLS,

In which the Committee of the Whole had made progress and asked leave to sit again.

On motion of Mr. Judd.

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled 'of the assessment and collection of taxes;'"

And

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes," and the acts amendatory thereto;

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration No's. 11, S., and 412, A., and reported said bills back to the Assembly, with a substitute, and recommended that the same be referred to a select committee of three to be perfected.

The question being on concurring in the recommendation of the committee;

It was agreed to.

The Speaker appointed as said committee:

Messrs. Judd, Bouck and Sumner.

REPORT.

The committee on Enrolled Bill respectfully report that they have examined the following bills and find the same correctly enrolled:

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the non-payment of taxes for the year 1857;

No. 338, A., a bill for an act for the relief of the settlers on north-east quarter of section 16, township 26, range 16, in Shawanaw county;

No. 343, A., a bill for an act to provide for laying out a State road from Shawanaw, to the State line;

No. 327, A., a bill for an act to authorize the district board of joint school district No. 2., of the town and city of Ripon to collect a tax;

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund monys in Shawanaw county.

No. 488, A., a bill for an act to change the time of holding elections in the city of Hudson;

No. 251, A., a bill for an act to appropriate to Thomas B. Lacy, the sum of \$87 68;

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad.

C. MILLER, *Ch'n. A. C.*

Said bills were signed by the Speaker.

On motion of Mr. Weage,
The Assembly adjourned.

FRIDAY, March o'clock, 16, 9A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Eggleston officiated as chaplain.

On motion of Mr. Green,

The reading of the journal was dispensed with.

Messrs. Kiefer and Nash were granted a leave of absence until Monday next;

Mr. Bachuber until Tuesday next, and

Mr. Young for an indefinite time.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Burt:

Mem. No. 319, A., of Jackson Walker and 294 others, for removal of county seat of Green Lake county;

To committee on Town and County Organization.

By Mr. Bettis:

Mem. No. 320, A., of the Waupun Light Guards;

To committee on the Militia.

By Mr. Holton:

Mem. No. 321, A., of John Jenkins and others, asking for the confirmation of certain acts of the city of Milwaukee;

To committee composed of the Milwaukee delegation.

By Mr. McKay:

Mem. No. 322, A., of H. Armstrong and 225 other legal voters of the county of Monroe, to repeal an act approved March 11, 1859, conferring civil jurisdiction on the county court of said county;

To committee on Incorporations.

And

Mem. No. 323, A., of S. C. Lyon and others to allow the counties of Monroe and Juneau to vote on the question of attaching a part of Monroe to Juneau county;

To committee on Town and County Organization.

By Mr. Palmer:

Mem. No. 324, A., of Henry J. Nazro & Co., and others,

holders of scrip in the Mutual Insurance Company, of Milwaukee, for relief;

To committee on the Judiciary.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 80, the account of Andrew Bishop.

RESOLUTIONS INTRODUCED.

By Mr. Bovay:

J. Res. No. 31, A.,

Resolved, by the Assembly, the Senate concurring, That Joint Rule No. 19, is hereby stricken out, and the following is inserted in lieu thereof:

19. All bills for repealing or amending any act excepting the Revised Statutes, shall, in the title and body of the bill, state the number of the chapter, the character of the volume containing it, whether of General, or of Private and Local Laws, the year of the passage thereof, together with the full title of the act proposed to be repealed or amended.

Bills proposing to repeal any chapter of the Revised Statutes, shall in the title and body of said bill, state the number and title of such chapter.

Bills for repealing or amending any section of the Revised Statutes, shall in the title and body thereof, state the marginal title, or some other brief statement of the matter proposed to be repealed or amended;

Which lies over.

Mr. Horn offered a resolution;

Which was read by the clerk.

Mr. Cobb rose to a privileged question, and moved that said resolution be returned to Mr. Horn, as being disrespectful to the Assembly.

Mr. Barnum moved to amend Mr. Cobb's motion, by giving Mr. Horn leave to withdraw his resolution.

Pending which,

Mr. Child moved the previous question;

Which was seconded;

And the question being "shall the main question be now put?"

The previous question was ordered.

The question occurring on Mr. Barnum's motion to amend;

It was lost.

The question occurring on Mr. Cobb's motion "to return said resolution to Mr. Horn;"

The ayes and noes were called for and ordered;

And it was so ordered,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Ballantine, Barnum, Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, DeWolf, Dickson, Farwell, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Johnson, Judd, Langland, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—44.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Beath, Bouck, Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Green, Griffin, Grover, Hartung, Hesk, Humann, Jackson, Keogh, Kingsbury, Mackay, Mulholland, Munn, Neville, Palmer, Patchin, Ruan, Seaton, Simpson, Sutton, Townsend, Wiley and Winter—33.

Whereupon, the Clerk returned said resolution to Mr. Horn.

Mr. Horn moved that his resolution be entered at length upon the journal;

Pending which

• Mr. Child moved the previous question;

Which was seconded, and the question being “shall the main question be now put?”

The previous question was ordered.

The question being on Mr. Horn's motion to enter his resolution at length upon the journal,

The ayes and noes were called and ordered,

And it was so ordered by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bettis, Beath, Bouck, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Green, Griffin, Grover, Hartung, Hesk, Holton, Horn, Jackson, Judd, Keogh, Kingsbury, Mackay, McMichael, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sutton, Townsend, VanderCook, Weage, Wheeler, Whiting, Wiley, Winter, Wood and Mr. Speaker—55.

Those who voted in the negative were

Messrs. Alden, Ballantine, Barnum, Bartlett, Bovay, Bugh, Dickson, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Howland, Langland, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Sumner, Upson, Westby, Wescott and Whittlesey—27.

Mr. Cobb moved to reconsider said vote;

Pending which,

On motion of Mr. Bouck,

Said motion to re-consider,

Was laid on the table, by the following vote—ayes 41, noes 39:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barnum, Beath, Bouck, Bow, Boyd, Bunn, Cole, Coles, Dockry, Fairchild, Green, Griffin, Grover, Hartung, Horn, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Palmer, Patchin, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sutton, Townsend, Wiley and Winter—41.

Those who voted in the negative were

Messrs. Alden, Bartlett, Bettis, Bovay, Brooks, Bugh, Burt, Child, Cobb, DeWolf, Dickson, Elmore, Goodwin, Griswold, Hammarquist, Holton, Horton, Howland, Humann, Langland, McKay, McMichael, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—39.

Mr. Horn forwarded his resolution to the clerk's desk, to be copied, which is as follows:

Resolved, That 20,000 copies of the letter of Judge Sloan to his brother be printed for the use of this Assembly:

5,000 in the German,
5,000 in the English,
2,000 in the Norwegian,
2,000 in the Welsh,
2,000 in the Irish, and
2,000 in the French languages,

With the following postscript, which must have been overlooked by the printer:

"P. S. You also know, dear brother, that even before I was weaned, I have been in favor of the farm-mortgagors, but since I have been able to talk I have refrained from committing myself upon that subject.

A. S. S."

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Neville:

No. 544, A., a bill for an act to legalize the organization and records of the Lyceum of the city of Green Bay;

To committee on State Affairs.

And

No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island, for the use of the State;

To committee on the Judiciary.

By Mr. Bow:

No. 546, A., a bill for an act to repeal sections 12 and 13, e chapter 47, entitled an act to change the name of certain persons therein named;

To the committee on the Judiciary.

By Mr. Burt:

No. 547, A., a bill for an act for the removal of the county seat of Green Lake county;

To committee on town and county organization.

By Mr. McKay:

No. 548, A., a bill for an act to repeal an act conferring civil jurisdiction on the county court of Monroe county, approved March 11, 1859;

To committee on Incorporations.

And

No. 549, A., a bill for an act to authorize the trustees of the village of Sparta to renew the warrant for the collection of the unpaid taxes of said village;

To committee on Incorporations.

And

No. 550, A., a bill for an act to authorize the treasurer of the city of LaCrosse to receive school district orders, in payment of school tax;

To committee on Incorporations.

By Mr. Phillips:

No. 551, A., a bill for an act to lay out a State road from Juneau county to Portage county;

To committee on Roads, Bridges and Ferries.

By Mr. Jackson:

No. 552, A., a bill for an act providing for an increase of highway tax in the county of Richland ;

To committee of the Whole.

By Mr. Ahlhauser :

No. 553, A., a bill for an act for the rendition of fugitives from labor ;

To committee on Federal Relations.

By Mr. Goodwin :

No. 554, A., a bill for an act to provide for the construction of a channel for the surplus water of Winnebago Lake ;

To committee on the Judiciary.

By Mr. Palmer :

No. 555, A., a bill for an act to incorporate "the Milwaukee Savings Institution," in the city of Milwaukee ;

To committee on Banks and Banking.

By Mr. Whiting :

No. 556, A., a bill for an act to appropriate a certain sum of money to the Committee on Charitable and Religious Societies;

To committee on Claims.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed :

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with the bond holders ;

No. 368, A., a bill for an act to facilitate the collection of judgments ;

No. 385, A., a bill for an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river in said county ;

No. 425, A., a bill for an act to amend sec. 11, of chapter 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths ;"

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof ;

No. 435, A., a bill for an act to amend an act entitled "an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same," approved March 25, A. D. 1858, and all acts amendatory of said act ;

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society for the year 1856 ;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company ;

No. 446, A., a bill for an act for the protection of orchards and fruit trees ;

No. 456, A., a bill for an act to authorize commissioners to vacate a certain Territorial road in the county of Waukesha ;

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that

they have examined and compared the following bills, and find them correctly engrossed:

No. 40, A., a bill for an act to extend the time of payment of principal upon school and university land certificates;

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital and remove its place of business;

No. 382, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Marathon;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 232, A., a bill for an act to amend chapter 109, title 12, of the Revised Statutes, entitled "of marriages," and to repeal chapter 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths;"

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled "of the publication of legal decisions;"

No. 426, A., a bill for an act to amend section 21, of chapter 134, Revised Statutes, entitled "of executions, and proceedings supplemental thereto."

M. HOWLAND, *Ch'n.*

The committee on Roads, Bridges and Ferries, to whom was referred

No. 463, A., a bill for an act authorizing an increase of highway tax in the county of Douglas;

Have had the same under consideration, and report it back to the House with amendment, and recommend its passage as amended.

No. 508, A., a bill for an act to legalize certain State roads therein named;

Has also been considered, and is hereby reported back to the House with recommendation that it do pass.

Mem. No. 37, A., a petition of D. R. Clement and 140 others for a State road from Stevens Point, north to State line;

Is reported back to the House with recommendation that the same be referred to the committee on swamp and overflowed lands.

C. G. HAMMARQUIST, *Ch'n.*

Mem. No. 37, A.,

Was referred to committee on Swamp and Overflowed Lands.

The committee on Roads, Bridges and Ferries, to which was referred

Mem. No. 307, A., petition of H. B. Nugent and 14 others

for the laying out of a State road between points therein mentioned;

Respectfully report by bill

No. 557, A., a bill for an act to authorize the laying out of a State road from the bridge on the north branch of the Manitowoc river, in section 15, town 17, range 20, to the village of Menasha, in the county of Winnebago;

And recommend its passage.

C. G. HAMMARQUIST, *Ch'n.*

Bill No. 558, A.,

Was read twice, and placed in the general file.

The committee on Swamp and Overflowed Lands, to whom was referred bill

No. 64, S., a bill for an act to discontinue the surveys and selection of swamp and overflowed lands within this State;

Have had the same under consideration, and report the same back with amendments, and recommend its passage when so amended.

A. WHITTLESEY, *Ch'n.*

The committee on Swamp and Overflowed Lands, to whom was referred the Governor's Message dated February 28th, 1860, and accompanying documents relative to swamp and overflowed lands, have had the same under consideration and beg leave to submit the following general report:

By examinations carefully made, we find that the survey of swamp and overflowed lands in this State, authorized by the legislative act of 1859, has been carried on in 27 different counties of the State.

In those counties the returns of the surveys made by the general government, show an aggregate of swamp lands of about 487,000 acres, of which 34,700 have proven, by the State survey, to be dry lands, which the general government have the right to sell, though the same survey, on the part of the State, shows an excess of over 600,000 acres of swamp lands over the amount reported by the United States surveys in those counties where the survey has been made by the State. In other words, as the result of the survey on the part of the State, the State, by right claim more than double the amount of land she could otherwise obtain by the United States survey.

It further appears that the general government has sold lands properly belonging to the State, to the amount of 320,000 acres, in lieu of which the State has the right, either to the entrance money, or otherwise, of necessity, to an equal number of acres

of dry land, and about 250,000 acres now vacant, for which the State is entitled to a patent.

Your committee are unanimous in the opinion that the State has a just claim to the excess of swamp and overflowed lands over that shown by the United States survey. While we are convinced that the surveys already made on the part of the State have been conducted in a rigid and economical manner, we think it expedient to stop further surveys by the State, until our claim is properly acknowledged by the general government either through the Land Department, or by act of Congress.

We believe that the mode of selection adopted by Governor Dewey, can in no possible instance be binding, from the fact that neither the State nor the general government have been bound by the same, and there is therefore no other way to establish our claim, but *by an actual survey*, thereby establishing the fact that there exists such lands of a "swampy and overflowed" character, over and above what were designated and returned as such by the government surveyors.

ASAPH WHITTLESEY, Ch'n.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly with the recommendation that the enacting clauses thereof be stricken out, viz:

No. 330, A., a bill for an act providing for a lien of mechanics and others;

No. 523, A., a bill for an act to repeal chapter 143, of the General Laws of 1858, exempting sixty day's earning to mechanics and labors;

No. 468, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled of executions and proceedings supplementary thereto;

No. 499, A., a bill for an act to regulate the practice in courts in certain cases;

No. 481, A., a bill for an act to prohibit courts, judges and other officers in this State to admit persons charged with the crime of murder, to bail before trial;

No. 511, A., a bill for an act to amend sec. 4, of chap. 220, of the Gen. Laws of 1859, entitled "an act in relation to the foreclosure of mortgages on real estate, and to repeal an act entitled 'an act relating to the foreclosure of mortgages, and the sale of lands under such foreclosure,' " approved May 15, 1858.

AMASA COBB, Ch'n.

The Judiciary committee to whom was referred

No. 484, A., a bill for an act relating to the assessment and collection of taxes on school and university and swamp lands, and of all lands mortgaged to the State;

Report the same back with an amendment, and recommend the passage of same when amended.

GAB. BOUCK.

The committee on Judiciary, to whom was recommitted bill No. 866, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Have amended said bill as instructed, and report the same to the Assembly with amendment.

And your committee would further report that said bill, in order to provide for what they considered a deficiency in our statutes, and that the provisions of the bill should apply to all "private property taken for public use," therein mentioned; that there are no provisions provided by law for compensating the owner or owners of land taken for public highways, be the same for town, county or State road.

Section 18, of article 1, of the constitution provides that "the property of no person shall be taken for public use without just compensation therefor."

Unless we have this or a similar law applying to all property taken for public use, very few, if any, roads or highways will be legally laid out and opened.

All of which is respectfully submitted.

W. P. BARTLETT.

The committee on Judiciary, having had under consideration bill

No. 814, A., a bill for an act to amend section 28, of chapter 13, of the Revised Statutes, to confer additional powers on the county boards of supervisors;

Have instructed me to report the same back to the Assembly, with the recommendation (Mr. Cobb dissenting,) that the enacting clause thereof be stricken out.

W. P. BARTLETT.

The committee on the Judiciary to whom was referred bill

No. 418, A.,

Have had the same under consideration and instruct me to report the same back to the Assembly with an amendment, and recommend its passage when so amended.

From which recommendation

Messrs. Bouck and Ordway dissent.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred bill No. 212, A., a bill for an act to empower cities, towns, and villages to grant the use of the streets therein to certain railway companies;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

On motion of Mr. Palmer,

The substitute reported by said committee to said bill

No. 212, A.,

Was ordered printed.

The committee on the Judiciary, to whom was referred bill No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds;

Have had the same under consideration and have instructed me to report the same back to the Assembly and recommend that the Senate amendment to said bill, be not concurred in.

AMASA COBB, *Ch'n.*

The question being taken upon the recommendation of said committee;

The Assembly refused to concur in the amendment of the Senate to bill

No. 76, A.

The committee on the Judiciary, to whom was referred the following bills have had the same under consideration, and have instructed me to report the same back the Assembly and recommend their passage:

No. 492, A., a bill for an act to amend chapter 181, of the General Laws of 1859, entitled "an act concerning the amendment of pleadings;"

No. 139, S., a bill for an act relating to the duties of register of deeds.

AMASA COBB, *Ch'n.*

Bill No. 129, S.,

Was ordered to a third reading.

The committee on the Judiciary, to whom was referred

No. 105, A., a bill for an act to repeal chapter 134, of the General Laws of 1859, entitled "an act to authorize the Clerk of the circuit court of each organized county to procure copy of the judgment record of unsatisfied judgments in the courts of the United States, in and for the district of Wisconsin;"

Have had the same under consideration, and the majority,

of said committee (Messrs Palmer and Bouck dissenting), have instructed me to report the same back to the Assembly with an amendment, and recommend its passage when so amended.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 175, A., a bill for an act to amend section 21, of chapter 122, of the Revised Statutes, entitled "of the forms of civil actions, and parties thereto;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with the recommendation that the enacting clause thereof be stricken out.

AMASA COBB *Ch'n.*

The committee on Claims to whom was referred bill

No. 269, A., a bill for an act to appropriate to the Institute for the Education of the Deaf and Dumb, and the Institute for the Education of the Blind of the State of Wisconsin, certain sums of money therein named;

Have had the same under consideration and have instructed me to report it back with amendments, and recommend its passage as amended.

• HEBER SMITH, *Ch'n.*

The joint committee on Enrolled Bills report that on the 15th inst. they presented to the Governor for his approval, the following bills, viz:

No. 337, A., a bill for an act to authorize the city of Madison to levy and collect a special tax for the year 1860;

No. 210, A., a bill for an act prescribing the mode of sales on judgments of courts in certain cases;

No. 14, A., a bill for an act authorizing persons having a lien upon land to pay the taxes upon the same;

No. 213, A., a bill for an act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved Oct. 13, 1856;

No. 138, A., a bill for an act to restore William Greeno to citizenship;

No. 157, A., a bill for an act to amend an act, entitled, "an act to incorporate the Mutual Life Insurance Company of the city of Madison," approved March 19, 1859;

No. 63, A., a bill for an act to change the boundaries of the counties of Marathon, Shawanaw and Oconto;

No. 125, A., a bill for an act to make certain records in Brown county evidence in certain cases;

No. 234, A., a bill for an act in relation to costs on appeals from the board of supervisors;

No. 317, A., an act to appropriate to Church & Hawley the sum of \$198 61;

No. 99, A., an act to amend sections 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties and their boundaries;"

No. 57, A., an act to provide for the disposal of the drainage fund moneys in the county of Fond du Lac;

No. 56, A., an act to incorporate the Workmen's Relief Association of the city of Watertown;

No. 85, A., an act to amend chapter 91, of the Laws of 1858, entitled an act to provide for the protection of stockholders of railroad corporations;

No. 165, A., an act to incorporate the village of Pepin;

And

No. 410, A., a bill for an act to appropriate to Seth M. Van Bergen the sum of \$765 03.

GEO. BENNETT, *Senate Com.*
C. MILLER, *Assembly Com.*

The committee on Ways and Means, to which was referred

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled "of courts held by justices of the peace;"

Have considered the same, and have directed me to report the bill back without recommendation.

The same committee have had under consideration

No. 273, S., a bill for an act regulating railroads;

And

No. 274, S., a bill for an act exempting certain property therein named from taxation;

And have directed me to report the said bills back with a recommendation that they do pass.

S. JUDD, *Ch'n.*

Mr. Judd moved that the rules be suspended for the consideration of

No's 273 and 274, S.,

Which the Assembly refused.

The committee on Charitable and Religious Societies, to whom was referred

No. 480, A., a bill for an act to protect widows and orphans;

Have had the same under consideration, and respectfully report the same back to the House with recommendation that it be referred to the next Legislature of this State.

J. DEWOLF, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

No. 230, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of assessment and collection of taxes ;"

No. 231, A., a bill for an act to amend chapter 24, of the Revised Statutes, entitled "of the distribution of the income of the school fund ;"

Have had the two bills respectively under consideration, and report them back with substitutes, and recommend the passage of the substitutes.

E. D. HOLTON, *Ch'n.*

The committee on State Affairs to whom was referred

No. 445, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Oconto county ;

Have had the same under consideration and recommend that it do pass.

Also,

No. 531, A., a bill for an act to authorize the borough of Ft. Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton ;

And recommend its passage.

L. J. FARWELL, *Ch'n.*

The committee on Agriculture and Manufactures to whom was referred

No. 535, A., a bill for an act to amend sec. 1, of chap. 59, of the Revised Statutes, entitled "of the rates of toll for grinding ;"

Have had the same under consideration, and direct me to report the same back without recommendation.

B. H. BETTIS, *Ch'n.*

The select committee consisting of the Waukesha delegation to whom was referred,

No. 193, S., entitled an act to amend an act to incorporate the village of Waukesha ;

Have had the same under consideration, report the same back and recommend its passage.

R. C. ROBERTSON,
WM. R. HESK,
A. E. ELMORE,
ALBERT ALDEN.

Said bill was ordered to a third reading.

The select committee, consisting of the Manitowoc delegation, to whom was referred

No. 421, A., a bill for an act to provide for the laying out of a State Road from Danforth's Mill, in Manitowoc county, to the town of Calumet, in Fond du Lac County;

Have had the same under consideration, and have instructed me to report said bill back, with a substitute, and recommend the passage of the substitute.

JOHN BOYD, *Ch'n.*

The substitute reported by the committee,

Was agreed to,

And the bill ordered engrossed to a third reading.

The joint committee on Enrolled Bills report that on the 15th inst., they presented to the Governor for his approval, the following bills:

No. 117, S., a bill for an act to provide for the removal of the county seat of Buffalo county;

No. 114, S., a bill for an act to provide for the purchase of certain copies of Webster's Dictionary, for the supply of deficient school districts of the State;

No. 221, S., a bill for an act to extend the time for the collection of taxes in the county of Marathon;

G. BENNETT, *of Senate,*

C. MILLER, *of Assembly.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has amended, and concurred in the passage of as amended:

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others;"

No. 33, A., a bill for an act to lay out a State road from Stevens Point to Eau Claire;

No. 37, A., a bill for an act in relation to the abatement and revival of suits;

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State;"

No. 284, A., a bill for an act to establish the name of Ellie Metcalf;

No. 358, A., a bill for an an act to repeal chapter 46, of the General Laws of 1860, entitled "an act to extend the time for

collection of taxes in the town of Freedom, in the county of Outagamie;"

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists.

And has concurred in the passage of, without amendment

No. 143, A., a bill for an act restoring Levi B. Hanan to citizenship;

No. 273, A., a bill for an act to amend the charter of the city Appleton;

No. 278, A., a bill for an act to amend section 28, of chapter 152, of the Revised Statutes, entitled of issues, mode of trial, of judgments in civil actions; ,

No. 301, A., a bill for an act to appropriate to Mitchell L. Delany the sum of \$75;

No. 305, A., a bill for an act to amend an act to incorporate the United States Insurance Company, approved April 30, 1854;

No. 335, A., a bill for an act to enable the corporation of the village of Sparta to construct side-walks, and otherwise improve the streets of said village;

No. 342, A., a bill for an act to authorize the city of Portage to maintain a levee;

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable, scientific and literary societies;

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12;

No. 392, A., a bill for an act to appropriate to Louis Gootman the sum of \$98 86 ;

No. 301, A., a bill for an act to authorize the board of supervisors of the county of Oconto, to pay for the construction of State roads from Fort Howard, Brown county, to the Menomonee river ;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton ;

No. 522, A., a bill for an act to authorize the town of Oakland, to subscribe for fifty shares of the capital stock of the Union Hall, and to levy a tax to pay for the same.

And further, that the Senate refuses to concur in the passage of

No. 321, A., a bill for an act to provide for the payment of all audited accounts.

I am further directed to inform you that the Senate has passed and asks the concurrence of the Assembly in

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases ;

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Co.;

No. 50, S., a bill to legalize the assessment of taxes in the county of Walworth;

No. 55, S., a bill for an act to establish an official State Paper;

No. 220, S., a bill for an act to repeal chapter 47, of the Private and Local Laws of 1857, entitled "an act to authorize the common council of the city of Oshkosh, Wis., to aid in the construction of gas works in said city;

No. 225, S., a bill for an act to amend chapter 345, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Black Earth;"

No. 239, S., a bill for an act to incorporate the Manitowoc Gymnastic Association, called in German "Der Turnverein;"

No. 250, S., a bill for an act to appropriate to Joseph Giles the sum of \$75.

THE SPECIAL ORDER,

No. 476, A., a bill for an act to provide for submitting to the people the question of calling a convention to revise the constitution;

Being under consideration,

On motion of Bovay,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On No. 476, A.,

Mr. Beath in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration No. 476, A., and reported the same back without amendment and without recommendation.

Mr. Cobb moved to strike out the enacting clause of

No. 476, A.,

Upon which motion

The ayes and noes were called and ordered,

And the Assembly refused so to do, by the following vote:

Those who voted in the affirmative, were

Messrs. Ballantine, Beath, Bouck, Bow, Bugh, Clise, Cobb, Cole, DeWolf, Fairchild, Golden, Jackson, Keogh, Robertson, Spottswood, Townsend, Upson, Westby, Wescott, Wheeler and Wiley—21.

Those who voted in the negative, were

Messrs. Alden, Altenhofen, Barnum, Bartlett, Bettis, Bovay,

Boyd, Brooks, Bunn, Burt, Child, Coles, Dockry, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Miller, Moore, Mulholland, Munn, Neville, Ordway, Palmer, Patchin, Rogers, Ruan, Schmitdner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, VanderCook, Weage, Whittlesey, Whiting, Winter, Wood and Mr. Speaker—58.

Mr. Smith asked leave of absence until Monday,

Which was granted.

The question being on ordering

No. 476, A.,

To be engrossed,

Pending the same,

On motion of Mr. Horn,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

Mr. Langland was granted leave of absence for two days, and

Mr. Green and Ordway until Monday next.

The following message from the Governor was received:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
MADISON, March 14, 1860.

To the Assembly:

I have the honor to acknowledge the receipt of a copy of resolution No. 120, requesting the Governor "to transmit to the Assembly copies of all correspondence between him and the La Crosse and Milwaukee Railroad Company, or any officer thereof, or between him and the Secretary of the Interior, or the Commissioner of the General Land Office, or any officer of either of those Departments, relating to the land granted to this State by the act of Congress, entitled, 'an act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State,' approved June, 3d A. D. 1856, or to the claim of said company to such lands, or any part there-

of, or relating to the completion of the 'land grant road,' so called, or any portion thereof, which the said La Crosse and Milwaukee Railroad Company, was by law authorized to construct."

I herewith submit copies of the correspondence referred to in the resolution.

ALEX. W. RANDALL.

Governor Randall to the Secretary of the Interior.

EXECUTIVE DEPARTMENT,
MADISON, Feb. 4, 1858.

HON. JACOB B. THOMPSON, *Secretary of the Interior,*
Washington, D. C.

SIR:—On the 28th of December, 1857, as appears by the records of this office, the late Executive certified to you, the completion of a certain portion of the railroad to be built by the La Crosse and Milwaukee Railroad Co., to which was transferred, under conditions, the right to lands granted to this State for railroad purposes. I have to request from your office information as to whether any patents have been issued, or any steps taken by your Department in regard to the matter. Presuming that no steps have yet been taken, I have to request that nothing may be done in regard to the issue of patents until further information is transmitted from this office, as there are grave doubts whether the company have fulfilled the conditions which would entitle them to the certificate.

I have the honor to be,

Yours respectfully,

ALEX. W. RANDALL.

Secretary of the Interior to Governor Randall.

DEPARTMENT OF THE INTERIOR, {
Washington, Feb. 9th, 1858. }

SIR: I have the honor to inform you that your letter of the 4th inst. relative to a recent certificate of the Executive of Wisconsin, concerning the completion of a portion of the railroad to be built by the LaCrosse and Milwaukee Railroad Company, has been received, and referred to the Commissioner of the General Land Office for consideration.

Very respectfully,

Your obedient servant,

J. THOMPSON, *Secretary.*

ALEX. W. RANDALL,

Governor of the State of Wisconsin.

Commissioner of General Land Office to Gov. Randall.

GENERAL LAND OFFICE, }
February 19, 1858. }

SIR: I have the honor to acknowledge the receipt of your communication of the 4th inst., regarding the "LaCrosse and Milwaukee Railroad," and in reply to state that no certified lists have as yet been issued, of lands on the line of route of the above mentioned road, accruing to the State of Wisconsin under the provisions of the act of Congress, approved 8d June, 1856; and, as requested by you, all action in the matter has been suspended by this office.

Respectfully,

Your obedient servant,

THOS. A. HENDRICKS, *Com'r.*

His Excellency A. W. RANDALL,
Governor of Wisconsin, Madison, Wis.

Governor Randall to Secretary of the Interior.

EXECUTIVE OFFICE, }
Madison, April 19, 1858. }

Hon. JACOB THOMPSON,

Secretary of the Interior, Washington, D. C.

SIR: I have the honor to request that you will forward to this Department, copies of the certificate granted by the late Executive of this State, under date of December 28, 1857, to the La Crosse and Milwaukee Railroad Company, of the completion of forty miles of the said railroad; and also of the certificate, signed by myself, attached to the maps of the St. Croix and Superior Railroad Company, exhibiting the location of the line of the said railroad, as the said certificate appears upon the maps.

Very respectfully,

Your obedient servant,

A. W. RANDALL.

Commissioner of General Land Office to Governor Randall.

GENERAL LAND OFFICE, }
May 12, 1858. }

SIR: Pursuant to the request in your communication of the 19th ultimo, I enclose herewith copies of the certificate on file in this office, issued by the Governor of Wisconsin, December 28, 1857, of the completion of forty miles of the La Crosse and Milwaukee Railroad, and of the certificate by the Governor of Wisconsin, attached to the maps on deposit in this of-

file, of the line of route of the St. Croix and Lake Superior Railroad.

Very respectfully,
Your obedient servant,

THOS. A. HENDRICKS, Com'r.

His Excellency, ALEX. W. RANDALL,
Governor of Wisconsin, Madison, Wis.

(Copy.)

[Enclosed in the above.]

Coles Bashford, Governor of the State of Wisconsin.

EXECUTIVE DEPARTMENT, }
Madison, December 28, 1857. }

To the Hon. JACOB THOMPSON, Sec'y of the Interior, U. S. A.

SIR: I hereby certify that forty continuous miles of the railroad which the La Crosse & Milwaukee Railroad Company is authorized and required to construct by the provisions of an act of the Legislature of the State of Wisconsin, approved Oct. 11th, 1856, entitled "an act to grant certain lands to the La Crosse & Milwaukee Railroad Co., and to execute the trust created by an act of Congress entitled 'an act granting public lands to the State of Wisconsin, to aid in the construction of railroads in said State, approved June 3d, 1856,'" extending from the point of intersection of the railroad described in the first section of said act with the eastern division of the La Crosse & Milwaukee Railroad at Portage City, in the county of Columbia, westwardly to a point on the line of said road four and forty one hundredths miles east of the depot at New Lisbon, in the county of Juneau, have been completed as required by the provisions of an act aforesaid, and that the railroad above described and so completed is a part of the line of railroad mentioned and described in the act of Congress entitled "an act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June 3, 1856, as a railroad from Madison or Columbus, by the way of Portage City to the St. Croix lake or river, between townships 25 and 31, and from thence to the west end of Lake Superior and to Bayfield, and to aid in the construction of which public lands are granted by the said act of Congress.

In witness whereof, I have herewith subscribed my name, and caused the Great Seal of the State of Wisconsin [L. s.] to be affixed. Done at Madison this 28th day of December, in the year of our Lord, one thousand eight hundred and fifty-seven.

By the Governor,

COLES BASHFORD.

D. W. JONES, Sec'y of State.

[Also enclosed.]

STATE OF WISCONSIN, EXECUTIVE OFFICE,
MADISON, Feb. 4th, 1858.

I hereby certify that John Lockwood, Esq., has left in my office a map of which this is a copy.

In testimony whereof, I have hereunto set my hand, and caused to be affixed the Great Seal of the State of

[L. S.] Wisconsin. Done at Madison, the 4th day of February, A. D. 1858, and of the Independence of the United States, the 82d.

By the Governor,

ALEX. W. RANDALL.

J. D. RUGGLES, *Asst. Sec'y of State.*

[In the month of June, 1858, a copy of the preamble and resolution referred to in the following letter, was received at the Executive Office. The preamble recited the claim of the Company and its foundation. This paper has been mislaid. A copy will be obtained, if possible, and laid before the Assembly, the officers in charge of the books of the Company having been written to for that purpose.]

Gov. Randall to N. P. Stanton.

EXECUTIVE OFFICE,
June 28, 1858.

N. P. STANTON, Esq., *President of La Crosse and Milwaukee Railroad Company:*

SIR:—I have received from the Secretary of your company a preamble and resolution, adopted by your board of directors, on the 31st day of May, in regard to the land grant to the Milwaukee and La Crosse Railroad Company, and in regard to my duty in the premises. Your preamble, as an inducement and explanation, is followed by the resolution which I here quote, *vide licet*:

Resolved, That the President of this company be requested to confer with the Governor of this State on the subject, and request him to issue to the Secretary of the Interior his certificate of the completion of the third twenty miles of said road, and also to request him to deliver a deed of all the lands to which said company are entitled under the provisions of said act.

I might take a technical objection here that no proper evidence has been furnished that the third twenty miles of the railroad has been completed, or, in fact, that any twenty, or ten, miles of the Land Grant Road has been completed as re-

quired by law, even if I were to concede your construction of the act of Congress, and of the act of the Legislature of 1856, to be the correct one.

But I will take no exception of the kind as the basis of my refusal to give the company the certificate asked, or the deed requested. I can execute no deed to the company, of any lands, in any event, until the title is first vested in the State by a patent from the General Government. I cannot give the company the certificate you ask for. I have no time, even if I had the inclination, to make a law argument upon the proper construction of the acts of Congress and our Legislature. It is sufficient for me, that I construe the law to mean what I understand it plainly says, and what the Legislature understood it to mean, when the act of 1856 was approved, and what the officers of the LaCrosse Company, in the Legislature and out of it declared it to mean.

By the act of the Legislature, following out the clear intent of the act of Congress, the LaCrosse and Milwaukee Railroad Company undertook, in consideration of the grant of land, and as a condition upon which they were to receive the benefit of the grant, to build a railroad, not from Milwaukee to LaCrosse, nor a part of a railroad from Milwaukee to LaCrosse, but a railroad from the city of Madison, in the county of Dane, and from the village of Columbus, in the county of Columbia, and not from any other point or points, "on the most feasible route by the way of Portage City, to the St. Croix river, or lake, between townships 25 and 31, and from thence to the west end of Lake Superior, and to Bayfield," &c. The act also provides that the roads from Madison and Columbus to Portage City shall be completed by the last day of December, 1858. The LaCrosse Company made a contract with the State, when it accepted the grant under the act of 1856, and is under obligations to fulfil its part, as well as the State is under obligations to fulfil on its part. The time within which the roads from Madison and from Columbus to Portage City, should be completed, is fixed by law, and the time is fast expiring without completing these two roads, or any part of them, within the time limited; and without expecting to complete them, your company ask me to give a certificate that it has completed 20 continuous miles of the said railroad, meaning the railroad which it contracted to build from Madison and Columbus to Portage City, and thence by a designated route, to the west end of Lake Superior, and to Bayfield.

The only security the State has, or could have, that the company would act in good faith, if it acted in good faith at all, is in holding the company to the performance of its contract in

the order required by law. It is one of those cases where a little common sense is worth a great deal of learning. The intention of the Legislature is very clear to my mind, and I have but one rule of action to pursue. The company is not entitled to any certificate until it has completed "20 continuous miles of said road," beginning at Madison; and I shall give none, nor will I execute any deeds, even if the government should issue patents of the lands to the State, any faster than the road is completed. Under the construction I give to the law, it becomes my duty to pursue this course, and I shall not hesitate to do it. My views have been known to the company for nearly six months, and the progress of the work, lapse of time, and reflection have confirmed the correctness of my position.

I have deemed it my duty to speak plainly on this subject in order to prevent any misapprehension. As plainly I now give you the assurance, notwithstanding the time that has passed, and the little that has been done by the company toward fulfilling its contract with the State, that just as fast as it builds the road from Madison and Columbus to Portage City and beyond that, for every twenty miles complete and in running order, I will give the company certificates, and execute deeds as fast as the company is entitled to the lands. I will throw no embarrassment in the way of the company, but will aid it by every means in my power, whenever and wherever I can with propriety interfere.

I have never had any disposition to injure or embarrass the La Crosse Company, either in building the Milwaukee and La Crosse road, or the Land Grant road. The people of Wisconsin, with scarcely an exception, earnestly desire the prosperity of these great enterprises. There is no disposition, and has been none, seriously entertained, to divest the company of the grant; and there will not be, if good faith is manifested by the company itself. The Legislature of this State has done nothing and will do nothing, to affect these enterprises. The action of the Legislature, and the disposition of the people on these subjects, have been entirely misunderstood. We do not want the Land Grant Act repealed. We have had experience enough in our past legislation on the subject. We want the present board of directors to do what the old board ought to have done, to-wit: act in good faith; protect the interests of stockholders; labor with diligence, prudence and economy, to build the roads, and protect the farmers, whose interests are involved, and fulfill the contract made with the State, under the Land Grant Act, instead of engaging in schemes of plunder. Our faith that the present board will endeavor to act for the best interests of the company, and that the enterprise may yet be redeemed from the effects

of gross and inexcusable mismanagement and breaches of trust, is increasing, and the Legislature, at its next session, will give all reasonable extension of time to the company, if in the meantime the company will furnish evidence by its works, of honesty of purpose and good faith towards the stockholders and towards the State.

Yours, &c.,

ALEX. W. RANDALL.

Commissioner of General Land Office to Gov. Randall.

GENERAL LAND OFFICE,
July 23, 1858.

SIR: Referring to your communication of the 4th February last, requesting suspension of action by this office in the matter of the railroad grant to Wisconsin, on the route of the La Crosse and Milwaukee Railroad, and my reply thereto of the 19th of that month, I enclose herewith a copy of a letter, dated the 21st instant, from N. P. Stanton, Esq., regarding this matter, and urging that early action may be taken by the department in the premises.

As the case is now called up, the purpose of this is to request that you will immediately make known to this office the objections which you hold to our proceeding with the adjustment of the grant; and to afford time for doing so, the matter will be delayed until the 15th proximo. Should you not be heard from before that time, we will feel at liberty to act upon the showing before us in the matter.

Very respectfully,

Your ob't servant,

THOS. A. HENDRICKS, *Com'r.*

His Excel. A. W. RANDALL, Governor of Wis.,

Madison, Wisconsin.

[Enclosed in the above.]

N. P. Stanton to Commissioner of General Land Office.

OFFICE OF THE LACROSSE AND MILWAUKEE R. R. CO.,
ALBANY, N. Y., July 21, 1858.

Hon. THOS. A. HENDRICKS, Land Commissioner,

DEAR SIR: In accordance with the provisions of an act of Congress, entitled "an act granting public lands to the State of Wisconsin aid in the construction of railroads in said State," approved June 3, 1856; and also of an act of the Legislature State of Wisconsin, entitled "an act to grant certain lands

to the LaCrosse and Milwaukee Railroad Company, &c.," approved Oct 11, 1856, the above named company claim title to 807,200 acres of land.

The language of sections four, of each of said acts, is so plain and explicit that it would seem no argument was necessary to show to your department the justice of our claim, and were it not that the present Governor of the State of Wisconsin has placed on file in your department his written objections to our receiving the same, we should not undertake to argue the question—it, however, appears now to be necessary.

Both sections before referred to, say that whenever twenty continuous miles of said roads are completed so as to admit of the running of regular trains on the same, the Governor shall certify the same to the "Secretary of the Interior," then the title to 240 sections of said land shall vest in the LaCrosse and Milwaukee Railroad Company; and when a second continuous twenty miles of said road shall have been completed, so as to admit of the running of regular trains on the same, the Governor shall certify as before, and thereupon a further quantity of 120 sections of said land shall vest in said company; and so from time to time, until said railroads are completed; "and it shall be the duty of the Governor so to certify to the Secretary of the Interior," whenever any such twenty miles are completed.

Upon the completion of the first twenty miles, Gov. Bashford did certify to the Secretary of the Interior such fact; and also upon the completion of the second twenty continuous miles; but previous to the completion of the third twenty miles, as aforesaid, Gov. Bashford's official term expired, and the present incumbent, Gov. Randall, was elected. I am informed that soon after taking possession of the gubernatorial seat, he filed in your office his *caveat*.

The result of this proceeding on the part of Gov. Randall is proving disastrous in the extreme to the interest of the owners of our road, and, unless relief is granted, may cause us to lose the road entirely.

The course of Gov. Randall is inexplicable; in the many personal interviews I have had with him during the past few months, he has furnished me with, I may say, no reason for it; and I now ask of your department to take such action in the premises as you may deem right and just.

A few questions arise in my mind:

1st. Were not Gov. Bashford's certificates given in strict accordance with the provisions of the act?

2d. From the time said certificates were received by the Secretary of the Interior, do not you consider that the title to 860 sections, or 230,400 acres of land, vests in our company?

3d. Do you deem it necessary for the general government to give a formal patent to the State of Wisconsin for these lands; or may not the act of Congress itself be considered an instrument of conveyance whenever the company, by complying with its provisions, shall be entitled to the lands under and by virtue of it?

4th. Will your department, or the Secretary of the Interior, recognize satisfactory evidence of the completion of the third twenty continuous miles of said road, so that the title to the lands claimed by us, by such completion, shall vest in our company; or are we still to be deprived of our lands on account of the continued refusal of Gov. Randall to grant his certificate?

Your immediate attention to this matter would be gratefully recognized, as each day's delay, in our present embarrassed condition, proves more and more fatal to our prospects.

Very respectfully,

Your ob't servant,

N. P. STANTON,

Pres't La C. & Mil. Railroad Co.

Certificate of Chief Engineer of La Crosse & Mil. Railroad Company.

(Filed in Executive office, Aug. 3d, 1858.)

LA CROSSE & MILWAUKEE RAILROAD COMPANY,

CHIEF ENGINEER'S OFFICE,

MILWAUKEE, Aug. 2d, 1858.

To the Hon. A. W. RANDALL, *Governor of the State of Wisconsin:*

SIR:—I hereby certify that twenty continuous miles of the Railroad which the La Crosse and Milwaukee Railroad Company, is authorized and required to construct, by the provisions of an act of the Legislature of the State of Wisconsin, approved October 11th, 1856, entitled "an act to grant certain lands to the La Crosse and Milwaukee Railroad Company, and to execute the trust created by an act of Congress, entitled "an act granting public lands to the State of Wisconsin, to aid in the construction of railroads in said State," approved June 3d, 1856, extending from a point in the line of said road four and forty one-hundredths miles east of the depot at New Lisbon, in the county of Juneau, to a point in the line of said road, twenty miles north-easterly from said first mentioned point, have been completed so as to admit of running regular trains on the

same, and regular trains are now being run daily on that portion of the road of said company above described, making in all sixty continuous miles of said Land Grant road, so called so completed, and actually in use for the passage of regular trains of cars.

E. W. WOODWARD, *Chief Engineer.*

STATE OF WISCONSIN, }
County of Milwaukee, } ss.

Ezekiel W. Woodward being duly sworn on oath, says, that he is the Chief Engineer of the La Crosse and Milwaukee Railroad Company, and that the facts stated in the above certificate by him subscribed, are true of his own knowledge.

EZEKIEL W. WOODWARD.

• Subscribed and sworn to before me this 2d day of August
A. D. 1858.

E. MARINER,
Notary Public, Mil. Co.

STATE OF WISCONSIN, }
Milwaukee County, } ss.

Edwin H. Goodrich, being duly sworn, on oath says, that he is the Manager of the La Crosse and Milwaukee Railroad, and that the facts stated in the above certificate of E. W. Woodward, Chief Engineer, are true of his own knowledge.

EDWIN H. GOODRICH.

Subscribed and sworn to before me this 2d day of August,
1858.

E. MARINER,
Notary Public, Mil. Co.

Governor Randall to the Commissioner of General Land Office.

EXECUTIVE OFFICE,
MADISON, Wis., Aug. 8, 1858.

Hon. THOS. A. HENDRICKS,
Commissioner of General Land Office.

SIR :—Your letter of July 23d, enclosing the copy of a communication from N. P. Stanton, Esq., President of the La Crosse and Milwaukee Railroad Co., is received. In my letter of the 4th February to your department, I did not give at length the reasons of my request that further action be suspended by the land department, until further information from the Executive department of this State.

I have given them frequently since that time, to Mr. Stan-

ton, and to the directors of the La Crosse and Milwaukee R. R., and Mr. Stanton knows them full well, and that the same views were entertained by nearly the entire Legislature of this State, during the last winter. Mr. Stanton, and the entire board of directors of the La Crosse and Milwaukee R. R. Co., have known these objections for six months, and have done nothing, in my judgment, towards a compliance with the law, but on the contrary, have been using a large amount of land grant securities, at a most inexcusable sacrifice, to build a piece of railroad from Tomah, to the city of La Crosse, entirely off the line of road, for the building of which the grant was made by Congress, and which, it is not pretended by the company that they were authorized to build, with funds derived from the sale of land belonging to that grant, or by the sale of securities based upon that grant. The act of Congress, approved June, 3d, 1856, "granting lands to the State of Wisconsin to aid in the construction of railroads in said State," provided in the first section, "that there be, and is hereby granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from Madison, or Columbus, by way of Portage City, to the St. Croix river or lake, between townships 25 and 31, and from thence to the west end of Lake Superior, and to Bayfield, and also, from Fond du Lac, on Lake Winnebago, northerly to the State line, every alternate section of land designated by odd numbers, for six sections in width on each side of said roads respectively," &c.

The second provision of section one, reads thus: "That the lands hereby granted, shall be exclusively applied in the construction of the roads for which it was granted and selected, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever."

Section 2 reads, "And be it further enacted, that the lands hereby granted to said State, shall be subject to the disposal of the Legislature thereof, for the purposes aforesaid, and no other," &c.

The Legislature of this State, by an act approved Oct. 11, 1856, authorized the La Crosse and Milwaukee Railroad Co. to build the road for the western division contemplated by the act of Congress, and to aid in its construction, granted to that company the lands donated by Congress for that purpose, upon conditions and reservations named in the act of the Legislature. The Legislature had a right to fix and prescribe the terms and conditions upon which it would confer that grant upon the La Crosse company, the manner in which that company should become invested with the lands, and determine, in every respect, the consideration the company should pay, and the services it

should perform, not inconsistent with the act of Congress. Through the act of the Legislature, a contract was made by the State with the La Crosse company, that the company should build railroads from the city of Madison, in the county of Dane; and from the village of Columbus, in the county of Columbia, in the most direct and feasible route, by way of Portage City, to the St. Croix river or lake, between townships twenty-five and thirty-one, and from thence to Lake Superior and to Bayfield, &c." The company became a party to the contract with the State by formal acceptance, undertook and contracted to build the roads last above described, and as a consideration was entitled to receive and enjoy the lands granted to the State for that purpose, at the time, in the quantities, and upon the conditions named in the act..

The first proviso of section three of the legislative act, like a similar provision in the act of Congress, declares "That said lands shall be exclusively applied in the construction of that road for which it was granted and selected, and shall be disposed of only as the work progresses, and the same shall be applied to no other work whatever."

It fixed the points of commencement of the roads at Madison and Columbus, their junction at Portage City, and the termination at the west end of Lake Superior and Bayfield. By the second section of the act, the State required of the company, and the company contracted, to build or construct, on the most direct feasible routes, from Madison to Portage City, and from Columbus to Portage City, and simultaneously, as nearly as practicable, the said roads, both to be completed by the last day of December, A. D. 1858, and for the purpose of estimating and selecting the lands granted by Congress, the city of Madison was designated as the point of commencement of said road. Section 4, of this act of Congress provides, "that the lands hereby granted to said State shall be disposed of by the said State only in the manner following, that is to say: 'that a quantity of land, not exceeding 120 sections, and included within a continuous length of twenty miles of roads, respectively, must be sold; and when the Governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of either of said roads are completed, then another like quantity of land hereby granted may be sold, and so from time to time, until said roads are completed.'" It will be here seen that the State might sell one hundred and twenty sections of land before any road was completed, and after that another one hundred and twenty sections for any continuous twenty miles completed. In other words, for the first twenty continuous miles completed, the State might sell two hundred and forty sections of land.

The act of Congress did not fix any point of commencement for estimating and selecting the lands granted by Congress; but the act of the Legislature fixed it at Madison, and the first hundred and twenty sections included within twenty continuous miles, are to be selected within the first twenty miles, and the one hundred and twenty sections for the first twenty miles completed, making two hundred and forty sections for the first twenty continuous miles, completed are to be selected within the first twenty miles of said road, and within six sections in width on each side of the same, or within 15 miles on each side of the road. If the act of the Legislature had simply fixed Madison as the point of commencement of said road for the purpose of estimating the lands granted, it might authorize a different construction, if that were the only ground for such construction. But Madison was fixed as the point of commencement of said road, not only for the purpose of estimating, but also for the purpose of selecting the lands granted by Congress.

With this view the, second proviso of section 4, of the act of the Legislature says, "That the title to said lands shall vest in the La Crosse & Milwaukee Railroad Co. in the manner following, that is to say: whenever twenty continuous miles of the said road shall have been completed so as to admit of running regular trains on the same, the Governor shall certify to the Secretary of the Interior the fact that such twenty continuous miles of such roads are completed as aforesaid, then the title to the two hundred and forty sections of said land shall vest in the La Crosse & Milwaukee Railroad Co.; and when the second twenty continuous miles of said road shall have been completed so as to admit of running regular trains on the same, the Governor shall certify as above, and thereupon a further quantity of one hundred and twenty sections of said land shall vest in said company, and so from time to time until said roads are completed." For the first twenty miles of road completed, the company is entitled to two hundred and forty sections of land, and for the second twenty miles completed to one hundred and twenty sections; and for the purpose of estimating and selecting the lands granted, Madison is designated as the point of commencement of said road; the first two hundred and forty sections must be selected for the first twenty miles.

The act of the Legislature granting the lands to the La Crosse and Milwaukee Railroad Company, required the roads from Madison to Portage, and from Columbus to Portage to be completed by the last day of December, A. D. 1858. The company bought the law by a system of bribery and corrup-

tion, unparalleled in the history of civilized nations, and under it brought themselves into a contract to complete these two roads to Portage within the time specified, and are bound by their contract.

Yet, notwithstanding the great interests involved, indifferent to their undertaking, almost two years have elapsed, and not one single mile of railroad has been completed by that company between Madison and Portage City, or between Columbus and Portage City. Sixty miles of railroad must be completed within five months by that company in order to fully comply with the law and its contract. Six months have elapsed since my views were known to the company, and since they were informed, through interviews I have had with various directors of the company, that I could give no certificate until the company commenced and prosecuted the work upon that part of the road to be completed the present year; and still no efforts made or steps taken towards fulfilling this part of the contract with the State. The company has not been taken by surprise. I gave this information thus early, in order that something might be done to avoid the difficulty. The directors of the company have not hesitated to declare that it is impossible for the company to fulfill its contract, and it still cries for land. It is breaking its contract with the State, in failing to build the road from Madison and Columbus to Portage City, and insists upon pay for breaking it.

Independent of the considerations which I have before maintained, the fact that the Legislature limited the time within which the road from Madison and Columbus to Portage City were to be completed, to the last day of December, of the present year, shows that its intention was to have that part of the road first completed, and gives peculiar force to the construction which I am compelled to put upon the law. The State has otherwise no security that the roads from Madison and from Columbus to Portage City, will ever be completed.—The State could bring no suit against the company to recover damages for its failure to perform, nor could the State commence and prosecute any proceeding in any court to compel the company to perform. The State would be entirely at the mercy of the company.

The latter could do whatever it chose, and leave undone whatever it chose. It could build a piece of road where the value of the lands would warrant a speculation, and refuse or neglect to build where the lands were poor, thus entirely avoiding the intention of Congress, in making the grant to the State, and the intention of the State in conferring the grant upon that company. Again, the act of Congress, and the act of the Leg-

islature, both declare that the said lands shall be exclusively applied in the construction of that road for which it was granted and selected, to be disposed of only as the work progressed, and "the same shall be applied to no other work whatever." As a part of its contract, the company agreed, in accepting the grant, that the land shall be applied to no other purpose than to build a railroad "from the city of Madison, in the county of Dane, and from the village of Columbus, in the county of Columbia on the most direct and feasible route, by the way of Portage City to the St. Croix river or lake, between townships 25 and 31, and from thence to the west end of Lake Superior, and to Bayfield."

In direct violation of this contract, this company contracted to pay, and have paid a large amount of land grant bonds, at a sacrifice of near one million of dollars on their *par value*, to build a branch of the LaCrosse and Milwaukee railroad, or a part of said road, from Tomah to the city of LaCrosse, which is not pretended is on the line of the road intended by the act of Congress, and by the act of our Legislature; so the lands or the securities based upon the lands, granted by Congress, are being diverted from their legitimate purposes, and applied to purposes entirely foreign from the design of Congress, in building roads, or parts of roads, not intended to be aided by the grant.

All this is matter of record proof. I am called upon as the Executive of this State, to wink at these failures of contract, and diversion of funds, and to sit quietly by while the munificent grant made by Congress is encumbered by mortgage bonds, and the securities sacrificed at 30 per cent. on the dollar, for purposes never intended by the law-making power. The grant was made for the purpose of increasing facilities for travel and the transaction of business upon the line designated, for the purpose of developing the resources, and hastening the settlement of the vast and unsettled portions of the State. The lands, or the money arising from their sale, cannot be devoted to any other purpose, be used to build any other roads, or appropriated to pay old debts, or the interest on old debts, contracted before that grant was made by Congress. My predecessor, in my judgment, gave his certificate erroneously.

I submit that this is not a matter of difficulty between the United States and a railroad company, but a matter between the State and the La Crosse and Milwaukee Railroad Company, to be settled and determined by the authorities and courts of this State.

The General Government deals with the State through its properly constituted authorities. In regard to this grant, the

State, as to the Government, stands in the light of a trustee. The State is bound to see the lands properly disposed of by the company, to which, on stipulated conditions, it turned over the grant. The State and the La Crosse Company must settle this matter between themselves, and by the act of our Legislature, the deeds of conveyance of the lands are to be made by the State authorities to the company, as fast as it is entitled to them.

I have no personal controversy with that company, and never have had; nor have I ever had any of any kind with any of its old directors or present ones. The La Crosse and Milwaukee Railroad enterprise is one of great importance to the State, and there is no hostility towards it, either among the public authorities or the people. There is no disposition to embarrass the company, or to thwart its efforts to escape difficulties into which it has been plunged by bad men. I do not mean here any disrespect to the present board of directors.

There is no desire to deprive the company of the land grant. All reasonable extension of time will be freely given to the company, to enable it to fulfill its contract, if it will but manifest a disposition to perform.

Just as fast as it builds the land grant road, it shall have certificates and lands. I regret, exceedingly, the unpleasant position in which I am placed towards the company, and nothing but a sense of imperative duty to the State has forced me into it. I have no power over the action of the Department at Washington, but in behalf of this State, I protest against the issue of any patent to this State, of any lands granted by Congress, until the question is fully settled here, that by law the company is entitled to them.

The policy adopted in the west for building railroads, has been a bad one. Building roads to make business, instead of to accommodate business, on promises to pay, is a false system. Directors grow rich, the roads languish, and stockholders suffer. I advised against such a system, years ago. I anticipated the bitter end that, by such courses, is sure to come. I feared the ruin, and suffering, and bitterness it brings in its train. It is not confined to one road, or to a few.

I must execute the law as I understand it. I have sworn to do so, and without fear, favor, affection, or hope of reward, in this as in all other things, I will protect the rights of the State, and the interests of the people of the State, as far as I have the power, regardless of any locality, combination or influence.

Very respectfully,

Your obedient servant,

ALEX. W. RANDALL.

The pending question being on the passage of
No. 476, A.,

Mr. Green moved the previous question;

Which was seconded;

And the question being "shall the main question be now
put?"

The ayes and noes were called for and ordered;

And the previous question was ordered by the following
vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Ballantine, Barnum, Bartlett, Beath,
Bovay, Bow, Boyd, Brooks, Bunn, Child, Coles, DeWolf, Dick-
son, Elmore, Fairchild, Farwell, Golden, Green, Griswold, Ham-
marquist, Hartung, Hesk, Holton, Horn, Horton, Humann,
Hunkins, Jackson, Johnson, Judd, Kingsbury, Langland, Mac-
kay, McKay, McMichael, Moore, Mulholland, Ordway, Palmer,
Patchin, Rogers, Schmidtner, Seaton, Simpson, Spottswood,
Stannard, Sumner, Sutton, Upson, VanderCook, Weage, West-
by, Wescott, Wheeler, Whittlesey, Whiting, Wiley, Wood
and Mr. Speaker—60.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Bouck, Bugh, Burt, Clise, Cobb,
Cole, Dockry, Goodwin, Griffin, Howland, Meigs, Munn, Ne-
ville, Phillips, Rankin, Robertson, Ruan and Winter—20.

Whereupon,

No. 476, A.,

Was read a third time,

And the Assembly refused to pass said bill,

By the following vote—ayes 38, noes 44:

Those who voted in the affirmative were

Messrs. Alden, Barnum, Bartlett, Bettis, Bovay, Bunn,
Burt, Child, Coles, Elmore, Goodwin, Green, Griswold, Ham-
marquist, Hartung, Holton, Horn, Hunkins, Judd, Kingsbury,
Langland, Mackay, McKay, McMichael, Meigs, Neville, Ord-
way, Palmer, Patchin, Rogers, Stannard, Sumner, VanderCook,
Weage Whittlesey, Whiting, Wood, and Mr. Speaker—38.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Beath, Bouck,
Bow, Boyd, Brooks, Bugh, Clise, Cobb, Cole, DeWolf, Dick-
son, Dockry, Fairchild, Farwell, Golden, Griffin, Hesk, Hor-
ton, Howland, Humann, Jackson, Johnson, Mitchell, Moore,
Mulholland, Munn, Phillips, Rankin, Robertson, Ruan,
Schmidtner, Seaton, Simpson, Spottswood, Sutton, Upson,
Westby, Westcott, Wheeler, Wiley, and Winter—44.

Mr. Wheeler moved to re-consider said vote;

Mr. Boyd moved to lay the motion to re-consider, on the
table;

Which was agreed to,

By the following vote—ayes 41, noes 40:

Those who voted in the affirmative were:

Messrs. Ahlhauser, Ballantine, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Clise, Cobb, Cole, DeWolf, Dickson Dockry, Fairchild, Farwell, Golden, Griffin, Hesck, Horton, Howland, Humann, Jackson, Johnson, Mitchell, Moore, Mulholland, Phillips, Rankin, Robertson, Ruan, Schmidtner, Seaton, Spottswood, Sutton, Upson, Westby, Wescott, Wheeler, Wiley and Winter—41.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Barnum, Bartlett, Bettis, Boyay, Bunn, Burt, Child, Coles, Elmore, Goodwin, Green, Griswold, Hammarquist, Hartung, Holton, Horn, Hunkins, Judd, Kingsbury, Langland, Mackay, McKay, McMichael, Meigs, Munn, Neville, Ordway, Palmer, Patchin, Rogers, Stannard, Sumner, VanderCook, Weage, Whittlesy, Whiting, Wood and Mr. Speaker—40.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq., Chief Clerk thereof.

Mr. SPEAKER :

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

J. Res. No. 6, S., relating to riots at Harper's Ferry;

And further, that the Senate has concurred in the passage of

No. 420, A., a bill for an act to provide and appropriate compensation to the officers of the Legislature.

I am further directed to present to you for signature

Mem. No. 4, S., memorial to the Post Office Department relating to increase of service on mail route 13,069;

Mem. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman and Hammond to Warren;

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain money to the county of Green Lake;

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin, in the county of Pierce;

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 135, S., a bill for an act to amend the charter of the Kenosha, Rockford and Rock Island Railroad Company;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

No. 206, S., a bill for an act to authorize the Bank of Watertown to reduce its capital stock;

No. 276, S., a bill for an act to amend the several acts relating to the charter of the city of Watertown.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills respectfully report that they have examined and compared the following bills, and find the same to be correctly enrolled :

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton ;

No. 278, A., a bill for an act to amend sec. 28, of chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgments in civil actions ;"

No. 143, A., a bill for an act restoring Levi B. Hanan to citizenship ;

No. 57, S., a bill authorizing the city of Hudson to issue bonds ;

No. 331, A., a bill for an act to authorize the board of supervisors of the county of Oconto, to pay for the construction of the State road from Fort Howard, Brown county, to the Menomonee river ;

No. 392, A., a bill for an act to appropriate to Lewis Gootman the sum of \$98 86 ;

No. 301, A., a bill for an act to appropriate to Mitchell L. Delaney the sum of \$75 ;

No. 305, A., a bill for an act to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 3d, 1854 ;

No. 420, A., an act to provide and appropriate compensation to the officers of the Legislature ;

No. 522, A., a bill for an act authorizing the town of Oakland to subscribe for fifty shares of the capital stock of the Union Hall Co., and to levy a tax to pay for the same ;

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12.

The joint committee on Enrolled Bills report that on the 16th inst., they presented to the Governor for his approval, the following bills:

No. 357, A., a bill for an act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the non-payment of taxes for the year 1857:

No. 338, A., a bill for an act for the relief of the settlers on north-east quarter of section 16, township 26, range 16, in Shawanaw county;

No. 327, A., a bill for an act to authorize the district board of joint school district No. 2., of the town and city of Ripon, to collect a tax;

No. 126, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Shawanaw county;

No. 488, A., a bill for an act to change the time of holding elections in the city of Hudson;

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for an appropriation of money for the payment therefor;

No. 211, A., a bill for an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad.

C. MILLER, *of Assem. Com.*

GEO. BENNETT, *of Sen. Com.*

THE SPECIAL ORDER.

No. 57, S., a bill authorizing the city of Hudson to issue bonds;

Being under consideration,

Said bill was read a third time, and concurred in.

Mr. Horn moved to adjourn;

Which was disagreed to.

On leave,

Mr. Green introduced

No. 558, A., a bill for an act to authorize the commissioners of school and university lands to issue certain school land certificates;

Which was read first and second times.

On motion of Mr. Greene,

The rules were suspended, and

No. 558, A.,

Was read a third time and passed;

And the title agreed to.

On motion of Mr. Bovay,

The rules were suspended, and

No. 273, S., a bill for an act regulating railroads;

And

No. 274, S., a bill for an act exempting certain property therein named from taxation;

Were taken from the general file for the purpose of considering the same.

No. 273, S..

Being under consideration;

Mr. Ordway moved to add a section, as follows:

"Sec. 6. The provisions of this act shall not apply to any railroad operated, or to be operated, by horse-power, now or hereafter constructed, to be constructed or operated, in any of the cities of this State;"

Which was agreed to.

Mr. Schmidtner moved to add at the end of section 1, as follows:

"Also, of gross earnings, which may accrue from leasing, renting, or otherwise obtained from any part of the property, whether ground or buildings, belonging to any railroad company, and which is exempt from taxation;"

Which was disagreed to.

Mr. Meigs moved to strike out the words "one per centum," where they occur, and insert "two per centum;"

Which was disagreed to.

And

No. 273, S.,

Was read a third time and concurred in,

By the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Bouck, Bovay, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cole, DeWolf, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Holton, Horn, Horton, Howland, Humann, Jackson, Johnson, Judd, Kingsbury, Langland, Mackay, McKay, Mitchell, Moore, Munn, Neville, Ordway, Palmer, Rogers, Seaton, Simpson, Spottswood, Stannard, Sumner, Townsend, VanderCook, Weage, Westby, Whittlesey, Wiley, Winter, Wood and Mr. Speaker—62.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Beath, Cobb, Dockry, Hunkins, Meigs, Mulholland, Patchin, Robertson, Schmidtner, Upson, Wescott, and Wheeler—14.

No. 274, S., being under consideration,

Mr. Ordway moved to amend by adding another section, as follows:

"Sec. 2. The provisions of this act shall not apply to any railroad operated, or to be operated by horse power, now or hereafter constructed, or to be constructed or operated in any of the cities of this State;"

Which was agreed to.

Mr. Patchin moved to amend section 1, by inserting after the word "State," in the third line, the words "and all real estate mortgaged to any railroad company to aid in the construction of any railroad in this State;"

Which was disagreed to.

Mr. Ordway moved to amend section 1, by inserting after the word "State" the words "belonging to any railroad company;"

Which was agreed to.

And

No. 274, S.,

Was read a third time and concurred in, by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Ballantine, Barnum, Bartlett, Bouck, Bovay, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cole, DeWolf, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Holton, Horn, Horton, Howland, Jackson, Johnson, Judd, Kingsbury, Langland, Mackay, McKay, Miller, Mitchell, Moore, Munn, Neville, Ordway, Palmer, Rogers, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, VanderCook, Weage, Westby, Wiley, Wood and Mr. Speaker—57.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Bettis, Beath, Cobb, Dockry, Humann, Hunkins, Meigs, Mulholland, Patchin, Robertson, Schmidtner, Upson, Wescott and Wheeler—16.

On motion of Mr. Neville,

The Assembly adjourned.

SATURDAY, March 17, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Britton officiated as chaplain.

On motion of Mr. Bow,

The reading of the journal of yesternay was dispensed with.

The following named gentlemen were granted leave of absence:

Messrs. Horn, Whiting, Hartung, Hayden, Wheeler Holton, Mitchell, Robertson, Dickson and Keogh, until Monday next; Messrs. Alden and Townsend, until Tuesday.
Messrs. Griffin and Schmidtner for an indefinite time.

LETTERS, PETITIONS AND MEMORIALS, &c.,

Presented and referred.

By Mr. Palmer:

Mem. No. 325, A., of John Furlong & Son, for amending a law relating to fish inspectors in Milwaukee;
To committee of the Whole.

By Mr. Wescott:

Mem. No. 326, A., of H. Rust and 48 others, relative to school district No. 8, in Monroe;
To committee on Education.

By Mr. Holton:

Mem. No. 327, A., of the Milwaukee and Mississippi Railroad Company;
To committee on Railroads.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 81, the account of William F. Porter.

Mr. Goodwin moved "that the committee on Railroads, to was referred Res. No. 34, A., and also bill No. 451, A., be and they are hereby requested to report the same back to the House on or before Tuesday next;"

Which was agreed to.

Mr. Sutton moved "That whereas this day is the anniversary of the birth of St. Patrick, the patron Saint of the green isle, 'the jewel of the ocean;'"

Resolved, That in honor of his virtues and his services to mankind in general, and Ireland in particular, this Assembly do now adjourn;

Which motion did not prevail.

RESOLUTIONS INTRODUCED.

By Mr. Brooks:

Res. No. 127, A.,

WHEREAS, by a resolution of this House allowing each subordinate clerk of this House and employees of the Sergeant-at-Arms, to take two daily newspapers, or their equivalent in

weeklies, and as they are expected to make good use of the papers so taken, and send the same to tax payers of this State; and whereas said clerks and employees are not making a proper use of said papers, to wit: sending them to tax payers of this State, for want of postage stamps, therefore

Resolved, That the Sergeant-at-Arms be instructed to procure and deliver to each clerk and employee \$2 in postage stamps, \$1 in 3 cent stamps and \$1 in one cent stamps;

Which lies over.

By Mr. Wescott:

Res. No. 128, A.,

Resolved, That no member of this House shall be allowed to speak more than five minute at any one time on any question which shall come before this Assembly during the remainder of this session;

Which lies over.

RESOLUTIONS CONSIDERED.

J. Res. No. 31, A.,

Amending joint rule No. 19, of the Senate and Assembly;

Introduced by Mr. Bovay yesterday,

Was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Elmore:

No. 559, A., a bill for an act to amend section 3, of chapter 80, of the Revised Statutes, entitled "of agriculture;"

To committee of the Whole.

And

No. 560, A., a bill for an act to repeal chapter 81, of the Revised Statutes, entitled "of the State Historical Society," and to relinquish to said society any and all claim the State may have therein, and to repeal part of chapter 11, of the Revised Statutes, entitled "of the salaries of State officers and others;"

To select committee on that subject.

By Mr. Bartlett:

No. 561, A., a bill for an act to extend the time for publication and sale of unredeemed lands, in the counties of Eau Claire and Chippewa;

On motion of Mr. Bartlett,

The rules were suspended, and

No. 561, A., was read a third time and passed, and the title agreed to.

By Mr. Palmer:

No. 562, A., a bill for an act to amend an act, entitled "an act to define, confirm and legalize the acts of a fish inspector in the city of Milwaukee;"

To committee of the Whole.

And,

No. 563, A., a bill to amend chap. 199, of the Private and Local Laws of 1859, entitled "an act to establish a municipal court in the city and county of Milwaukee," approved March 18, 1859;

To committee composed of the Mil. delegation.

By Mr. Bow:

No. 564, A., a bill for an act to adjust the boundaries of the Marquette and Green Lake Assembly district;

To committee on the Judiciary.

By Mr. Bouck:

No. 565, A., a bill for an act to establish the time of holding courts in the 10th judicial circuit;

To the delegation from 10th judicial circuit.

By Mr. Phillips:

No. 566, A., a bill for an act to change the name of Mary W. Richmond;

To committee on the Judiciary.

By Mr. Bartlett:

No. 567, A., a bill for an act to legalize the organization and proceedings of school district No. 3, in the town of Eau Claire;

To committee on Education.

By Mr. Holton:

No. 568, A., a bill to facilitate and authenticate the formation of a corporation by the purchase of the Milwaukee & Mississippi Railroad Co.;

To committee on Railroads.

By Mr. Humann:

No. 569, A., a bill for an act to incorporate the Milwaukee Mutual Laborers Relief Society;

To committee of the Whole.

REPORTS OF COMMITTEES.

The committee on Town and County Organization to whom was referred

No. 455, A., a bill for an act to change the name of Sarah McCabe to Sarah Kate Graves ;

Have had the same under consideration, and report the same back with the recommendation that the bill do pass.

J. P. DICKSON, *Ch'n.*

The undersigned, a minority of the committee on Railroads, to whom was referred

No. 272, A., a bill for an act granting to the Madison, Portage City, and Lake Superior Railroad Company, certain lands to aid in the construction of a railroad, and to repeal and annul a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company;

Dissenting from the report of a majority of said committee, made on the 13th inst., beg leave to assign their reasons therefor.

The act of Congress granting public lands to the State of Wisconsin to aid in the construction of railroads in said State, approved June 3d, 1856, among other things, provides that the lands so granted shall be disposed of only in the manner following, to wit: "That a quantity of lands not exceeding 120 sections, and included within a continuous length of 20 miles of road respectively may be sold, and when the Governor of said State shall certify to the Secretary of the Interior that any 20 continuous miles of either of said roads are completed, then another like quantity of land hereby granted may be sold, and so, from time to time, until said roads are completed."

By the 4th section of the act of the Legislature of this State carrying out the above-mentioned act of Congress, and granting certain land to the La Crosse and Milwaukee Railroad Co., approved Oct. 11th, A. D. 1856, all the interest of the State present and prospective, in and to any and all the lands granted by Congress, by the act of June 3, A. D. 1856, are granted to the said La Crosse and Milwaukee Railroad Company, and provides that the title to said land shall vest in said company as follows:

"Whenever twenty continuous miles of said road shall have been completed, so as to admit the running of regular trains of cars on the same, the Governor of this State shall certify to the Secretary of the Interior, the fact that such twenty continuous miles of such road are completed as aforesaid, then the title to 240 sections of said land shall vest in the La Crosse and Milwaukee Railroad Company, and when a second continuous twenty miles of said road shall have been completed so as to admit the running of regular trains on the same, the Governor shall certify as before, and thereupon a further quantity of 120

sections of said lands shall vest in said company, and so from time to time until said roads are completed, and it shall be the duty of the Governor so to certify to the Secretary of the Interior whenever any such twenty miles are completed, so as to admit the running of regular trains of cars over the same; and the Governor of the State shall in his official capacity, and in behalf of the State and under the great seal thereof, execute, and deliver to the La Crosse and Milwaukee Railroad Company whenever it shall, by virtue of the provisions of this charter, be entitled to any of said lands, a deed in fee simple of any and all of the lands to which said company shall be entitled, &c."

By the 9th section of said act, the La Crosse and Milwaukee Railroad Company were authorized to "mortgage, pledge, or otherwise dispose of all the right, title, claim, or demand, of, in, or to the lands, or interest in lands granted to said company by this act," &c.

Your committee are informed and believe, that by virtue of these provisions the La Crosse and Milwaukee Railroad Company did on the 31st day of December, 1856, execute a trust deed to Greene C. Bronson, James T. Sonté, and Shepard Knapp, conveying among other things, all their interest in said lands, to secure the payment of bonds to be issued by said company, and bonds were accordingly issued to the amount of \$4,000,000—all of which have been disposed of, and are now in the hands of innocent holders.

The road from Portage to Lisbon, being forty continuous miles and upward, was completed according to the terms of the act, in the month of December, 1857, and during that month Governor Bashford, the then Governor of Wisconsin, issued to the Secretary of the Interior, the certificate required by the foregoing acts.

In the month of January, following, Governor Randall requested the Secretary of the Interior not to act on the certificate of his predecessor, and since that time there has been no further disposition of these lands.

In the month of July, 1858, another portion of the road from Lisbon to Tomah, twenty miles and upward, was completed, as required by the foregoing act.

It would therefore appear, that in less than two years from the passage of the act of Oct. 11, 1856, sixty continuous miles of road had been completed so as to admit the running of regular trains of cars thereon, and the La Crosse and Milwaukee Railroad Company, claim that they were then entitled to a deed in fee simple of 307,200 acres of the lands granted by Congress.

Your committee are informed that after the completion of the road to Tomah, and on a subsequent occasion the company applied to the Governor to give the certificate required by the before named acts, as to the last continuous twenty miles, and, to recall what he had done in relation to the certificate issued by Governor Bashford, all of which he has declined doing.

The act referred to requires the main line to be completed in ten years from the 3d day of June, A. D. 1856, and the lines from Madison to Portage, and from Columbus to Portage, by the last day of December 1858.

It is conceded that the lines between these points has not been completed ; though your committee are informed a considerable sum of money has been expended in grading between Madison and Portage, and it is therefore contended that by reason of the non-completion of the lines of road between Madison, Columbus and Portage, the Legislature has the right to repeal the above act, and resume such portions of the grant as have not become vested in the company.

The La Crosse and Milwaukee Railroad Company say, there might be some propriety in this claim, if the State, one of the contracting parties, had fulfilled her part of the contract ; by her Executive issuing the requisite certificate ; thereby enabling the company to obtain a title to the lands vested by reason of the completion of sixty continuous miles of road.

Your committee are not expounders of constitutional or statute law, by profession ; and, while we accord to Gov. Randall purity of motive in his course toward the La Crosse Company, some of your committee think the terms of the law warrant the claim of the company, and if their claim be just, *then* the State, as well as the company, has failed to perform her part of the contract.

The State conveyed, and the company accepted, the lands upon certain conditions, alike obligatory upon both parties. The State had the right to impose terms upon the company, and the company had a right to demand a conveyance of one hundred and twenty sections of land upon the completion of every continuous twenty miles of road, according to said conditions.

The company claim that they have, in accordance with the terms of the law, completed sixty continuous miles of said road ; that they are thereby entitled to a conveyance of 307,200 acres of land, and that they have been deprived of all use and benefit of these lands by reason of the refusal of the Governor of the State of Wisconsin to issue the certificate required by the act aforesaid.

On the other hand, the Governor contends that, because the

road was not completed from Madison to Columbus and Portage, the lands did not vest in the La Crosse and Milwaukee Railroad Company.

The committee do not deem it necessary to discuss the question whether these lands have vested in the company, or whether the Governor erred in withholding his certificate.

It is enough for us to know that a wide difference of opinion, both as to law and facts, exist between the Governor and the company, and your committee hold that it is not the province of the Legislature, one of the contracting parties, to determine these important questions. We believe it to be a well settled principle of law, that a party to a contract cannot claim a forfeiture when he has not only failed to perform on his part; but when such failure may have been the means of preventing the other party from performing on his part. The rules of law and common honesty which control individuals in their private transactions, should not be disregarded by the Legislature—but a sense of honor, and a regard for the reputation of the State should impel the Legislature to exercise such powers as are claimed by this bill, with extreme delicacy and caution.

This bill proposes that the Legislature shall decide and determine all questions in controversy between the State and the LaCrosse and Milwaukee Railroad Company, and all other parties interested in the land grant, without asking them to show cause why the charter should not be repealed, and their rights under the grant declared forfeited.

It may be said that the bill recognizes the rights of the company so far as they have become vested.

Who is to determine what those rights are? The Legislature, the LaCrosse and Milwaukee Railroad Company, or the new companies to whom this grant is proposed to be given? Which of these parties is to determine whether the LaCrosse and Milwaukee Railroad company, has lost or abandoned any of its rights?

These are question which in the opinion of your committee can only be determined by the proper judicial tribunals of the country, and considering the magnitude of the questions and interests involved, the honor and good name of the State requires that they should be submitted to those tribunals, and not determined by the Legislature, where so many local interests and jealousies arise to affect the judgments of members. A brief reference to the condition of the LaCrosse and Milwaukee Railroad Company may be necessary, to show in addition to the reasons urged, why the Legislature should not pass the bill. This information your committee have obtained from the best sources at their command and believe to be substantially correct.

The eastern division of the road from Milwaukee to Portage is under mortgage for over \$2,000,000—and the western division from Portage to La Crosse for more than \$5,000,000—including the accrued interest—while the whole road is leased to Selah Chamberlain, who has its entire management and control. In the month of May last, the entire road, subject to previous liens, was sold under the third mortgage, and a company was organized thereunder by the name of the Milwaukee & Minnesota Railroad Co. This company is the legal successor to the La Crosse and Milwaukee Railroad Co. It is a corporation representing two hundred miles of road, without any control over the said road or its revenues, and without any means of protecting the rights of the company or the bond holders under previous mortgages. The \$4,000,000 of bonds on the western division covering the interest of the company in the lands granted by Congress, are in the hands of parties residing at the east and in Europe, and we are informed that no interest has been paid thereon since the summer of 1858.

The peculiar and unfortunate position of the La Crosse & Milwaukee Railroad Co. and the want of confidence in railroad investments which has prevailed for the last three years, have prevented the company, or those interested in its securities, from making any further progress in the completion of the road.

The holders of the land grant bonds have not, until lately, taken any measures to foreclose their mortgage, as they were desirous of perfecting their title to the lands which they had earned before they incurred any further expense in contending for their rights, solemnly guarantied to them by Congress and the Legislature of this State. Having failed to have these rights recognized by the State—they have recently instituted proceedings to foreclose the land grant mortgage, and they hope to obtain possession of the western division during the coming summer. Should their expectations be realized in this respect, a company will be organized under the existing laws of the State. A company so formed consisting of bond holders alone, will then be able to protect their own rights—to determine whether they will proceed in the construction of the road, or otherwise to make such arrangement as may be deemed just and proper for conferring their rights and privileges upon some other company.

In the utter prostration of said railroad credit, particularly in Wisconsin, we have no reason to believe that any new company, with all the aid of the land grant, can complete the road from Madison to Portage.

There are no means for this purpose at home, and the dear

bought experience of eastern buyers of Wisconsin railroad securities will prevent any further investment, for years to come, in this species of property, unless by those who already have investments therein, to enable them to save some part thereof.

The delay of a year, or until the next session of the Legislature, can work no serious injury to the State and may be the means of preventing a great wrong from being done by the State to parties who have invested their money, relying upon our good faith.

We see no necessity for hasty legislation, when no good can be accomplished by the passage of this bill. In the opinion of your committee, it will not hasten, but may retard, for years, the completion of these lines of road, as it must be apparent to every one that long and tedious litigation must follow any attempt to interfere with the right of the existing corporation.

The substitute reported by a majority of the committee provides that a portion of these lands be granted to the Wisconsin Central Railroad Company, upon condition that they shall, within two years, complete the road from Columbus to Portage. If the Legislature should think proper to interfere at all with this grant, then we contend that the Milwaukee, Watertown and Baraboo Valley Railroad Company has stronger claims than that of the Central road, and should this bill be entertained by the Assembly we will offer an amendment to this effect. The former road is now in operation from Milwaukee to Columbus, while the latter reports only *nine* miles completed, and from the fact that no taxes have been paid to the State, we presume that no portion of the road has been in operation.

Your committee have not deemed it necessary to enter into an examination of the legal questions that may arise on the passage of this bill. If no doubt existed in their minds as to the right of the State to exercise the power contemplated by the bill reported by the committee, they would still resist its passage on the ground of good policy, public faith, and a due regard for the rights of those who, by our legislation, have been induced to purchase the securities of this Company.

They do not believe that the passage of said bill will hasten the completion of the proposed roads; but they fear that such a measure would tend to impair the credit of our State, and prevent further investments by eastern or foreign capitalists in our railroad and other securities.

Your committee have given this subject all the consideration their other legislative duties have permitted, and have pointed out as they believe, a few only of the many reasons that might

be urged, why this bill should not pass; and will only add, in conclusion, that, in their opinion, the legislature that disturbs the land grant without the clearest right so to do, and the most positive assurance that the recipients thereof have the ability to complete the road, and the will to do so, will be only second in infamy to that legislature that in the first instance disposed of the grant so corruptly.

Respectfully submitted,

ANDREW E. ELMORE,
SALMON UPSON,
EDWARD G. HAYDEN.

The committee on Incorporations, to whom was referred No. 550, A., a bill for an act to require the treasurer of the city of LaCrosse to receive school district orders in payment of school tax;

With a memorial, accompanying the same;

Have had the said bill and memorial under consideration, and have instructed me to report the said bill back to the Assembly with a substitute, and recommend the adoption of the substitute.

R. BUNN, *Ch'n.*

The committee on Incorporations, to whom was referred the following bills, have had the same under consideration, and have instructed me to report them back to the Assembly without amendment, and recommend that they do severally pass.—
To wit:

No. 537, A., a bill for an act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston," approved May 8, 1858;

No. 548, A., a bill for an act to repeal an act conferring civil jurisdiction on the county court of Monroe county, approved March 11, 1859;

And

Mem. No. 322, A.,

Accompanying the same; and

No. 549, A., a bill for an act to authorize the trustees of the village of Sparta to renew the warrant for the collection of unpaid taxes of said village.

R. BUNN, *Ch'n.*

The committee on Charitable and Religious Societies, to whom was referred bill

No. 541, A., a bill for an act to change the name of Martha Pherm, and to establish her guardianship and heirship;

Have had the same under consideration, and recommend that the same do pass.

JOHN DEWOLF, *Ch'n.*

The committee on claims, to whom was referred

Acc. No. 76, A., the account of M. E. Fuller, for advances made for building Hospital for the Insane;

Have said account under consideration, and report it back with the recommendation that it be referred to the committee on Charitable and Religious Societies.

Also,

Acc. No. 78, the account of Rosepha A. Tripp, for amount due her husband (James Tripp, deceased), for per diem and mileage as member of the "house of representatives of the territory of Wisconsin," for the years 1842 and 1843; also, for hauling furniture from Milwaukee for said territory;

Have had said account under consideration, and report it back, with the recommendation that it be referred to committee on Legislative Expenses.

Acc. No. 76,

Was referred to the select committee on the Hospital for the Insane.

Acc. No. 78,

Was referred to the committee on Legislative Expenses.

The committee on Incorporations, to whom was referred bill No. 99, S., a bill for an act to incorporate the La Crosse Valley Seminary;

With instructions to provide a general law, have had the same, together with the subject so referred to them, under consideration, and have instructed me to report the said bill back to the Assembly without recommendation;

And ask to be discharged from the further consideration of this subject.

The committee find that there is now in force a law (see chap. 55, acts of a general nature of 1858, and chap. 73, R.S.) providing for the incorporation of academies and seminaries, which law, in the opinion of your committee, is ample in its provisions, and in ordinary cases sufficient for the purposes intended.

Not all the objects contemplated by this bill can, however, be attained under this general law. The bill asks for the power to hold personal and real estate to any extent, provided the annual income therefrom shall not exceed \$20,000. The general statute referred to, limits the real estate which may be held by

any such corporation, to
acres in extent, nor to e

The Assembly refused

The committee on Rail
No. 259, A., a bill for
ard and Appleton Railro

Have had the same und
report the same back to
recommend its passage a

The committee on Edu
to whom was referred

Mem. No. 223, A.,

Have had the same und
port the accompanying bil
passed, and that the pray

Said bill being

No. 570, A., a bill for
son;

Was read twice, and

Referred to committee

The committee on Ban

No. 226, A., a bill for

No. 897, A., a bill for
taking unlawful interest;

And,

No. 227, A., a memori
ruary a legal holiday;

Have had the same und
me to report the same bac
be indefinitely postponed.

The same committee to

No. 167, S., a bill for
and promissory notes;

Have had the same und
me to report the same bac

Bill No, 226, A.,

Was indefinitely postpo

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly and recommend their passage:

No. 516, A., a bill for an act requiring publication of notice of proposed special or local legislation:

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin with intent to pass the same as true:

No. 518, S., a bill for an act to amend chapter 143, Revised Statutes, entitled of miscellaneous proceedings in civil actions and general provisions:

AMASA COBB, C'n.

The committee on the Judiciary to whom was referred

No. 457, A., a bill for an act to constitute Shawano county a part of the seventh judicial circuit, and to fix the terms of court therein:

Have had the same under consideration and have instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, C'n.

The committee on the Judiciary to whom was referred

No. 512, A., a bill for an act to amend section 51, of chapter 183, of the Revised Statutes, entitled "of oaks and fies;":

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, C'n.

The committee on the Judiciary, to whom was referred

Mem. No. 130, A., memorial of the common council of the city of Milwaukee, praying for the passage of a law providing for a summary remedy against railroad companies making default in the payment of principal or interest of corporate bonds issued to such companies:

And

No. 482, A., a bill for an act to protect certain counties, cities, towns and villages;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with certain amendments to the bill, and recommend the passage of the bill when so amended.

AMASA COBB, C'n.

The committee on Judiciary, to whom was referred bill

No. 404, A., a bill for an act to amend chapter 121, of the

Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings therein;"

Have had the same under consideration and have instructed me to report the same back to the Assembly with an amendment, and recommend it passage when so amended.

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed :

No. 139, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Milwaukee, for the years 1856 and 1857;

No. 372, A., a bill for an act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bill, and find it correctly engrossed under rule 48:

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's mills, in Manitowoc county, to the town of Calumet, in Fond du Lac county.

M. HOWLAND, *Ch'n.*

A majority of the select committee to whom was referred

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county, and the amendments made thereto by the Senate;

Report the same back with the following recommendations:

1st, That the Assembly do not concur in the amendment made to section 1, of said bill;

2nd, That the Assembly concur in the amendments made to section 2, of said bill, and also to section 13, of said bill;

3d, That the Assembly concur to the following amendment made to section 18, viz: by striking out the words "county clerk," where they occur in said section and insert the words "clerk of county court;"

4th, That the Assembly do not concur to any of the other amendments made to said section;

5th, That the Assembly do not concur in the amendment made by the Senate, "strike out all of section 20, and insert 'the county judge shall be entitled to and receive a salary of five hundred dollars per annum, payable quarterly, out of the county treasury;'"

6th, That the Assembly concur in the amendment made to section twenty-three of said bill.

GAB. BOUCK,
GEO. S. BARNUM.

The several recommendations of said committee were adopted.

The select committee, under resolution No. 22, to whom was referred bill

No. 533, A., a bill for an act relating to the assessment of tax;

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do pass.

AND W. E. ELMORE, *Ch'n.*

SENATE MESSAGE TAKEN UP.

The amendments to

No. 33, A., a bill for an act to lay out a State road from Stevens Point to Eau Claire;

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf the State;"

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists;

No. 284, A., a bill for an act to establish the name of Ellie Metcalf;

And

No. 358, A., a bill for an act to repeal chapter 45, of the General Laws of 1860, entitled "an act to extend the time for collection of taxes in the town of Freedom in the county of Outagamie;

Were concurred in.

No. 37, A., a bill for an act in relation to the abatement and revivor of suits;

And

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others;"

Were referred to the committee on the Judiciary.

The following bills were severally read first and second times and referred;

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Company;

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to authorize
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to incorpo-

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No. 332, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Marathon;

No. 385, A., a bill for an act to authorize the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said county;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled "of the publication of legal decisions;"

No. 426, A., a bill for an act to amend section 21, of chapter 134, Revised Statutes, entitled "of executions, and proceedings supplemental thereto."

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 445, A., a bill for an act for the protection of orchards and fruit trees;

No. 456, A., a bill for an act to authorize commissioners to vacate a certain Territorial road in the county of Waukesha;

And,

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

Also,

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society for the year 1856;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Child, Cobb, Coles, DeWolf, Fairchild, Goodwin, Green, Griffin, Horton, Jackson, Judd, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Patchin Phillips, Rankin, Robertson, Seaton, Simpson, Spottswood, Stannard, Sumner, Upson, VanderCook, Wescott, Whittlesey, Wiley and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Ballantine, Barnum, Brooks, Bunn, Burt, Clise, Dockry, Elmore, Golden, Griswold, Grover, Hammarquist, Hesk, Howland, Humann, Hunkins, McKay, Moore, Palmer, Rogers, Ruan, Weage, Westby and Winter—24.

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Ballantine, Barnum, Bartlett, Bettis, Bovay, Bow, Brooks, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Howland, Jackson, Judd, McKay, Moore, Munn, Rogers, Seaton, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Whittlesey, Wood and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Altenhofer, Beath, Bouck, Boyd Bunn, Elmore, Green, Hesk, Humann, Hunkins, Mackay, Meigs, Mulholland, Neville, Palmer, Patchin, Simpson, Wiley and Winter—19.

No. 425, A., a bill for an act to amend section 11, of chap. 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths;"

Was lost.

BILLS REPORTED BY COM. OF THE WHOLE.

No. 463, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$12,50;

Leave to withdraw the account of Hiram A. Stone was granted.

On motion of Mr. Munn,

No. 272, A., a bill for an act granting to the Madison, Portage City, and Lake Superior Railroad Company certain lands to aid in the construction of a railroad, and to repeal and amend a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company;

Was made the special order for next Thursday, and every day thereafter until disposed of.

Mr. Goodwin moved that the committee on Incorporations be requested to report on bill

No. 42, A.,

With all convenient speed;

Which was agreed to.

Mr. Bouck moved "that the rule requiring bills to be considered in the committee of the Whole, be suspended for the day, and that no bill be debated without unanimous consent, and when debate is indicated the bill shall go to the bottom of the general file;"

Which motion prevailed.

The amendments to

J. Res. No. 4, A.,

Objecting to any change of the naturalization laws;

And,

No. 142, A., a bill for an act to relative to persons mining for lead ore or other minerals;

Were adopted. . . .

And said resolution and bill, also the following bills were severally read a third time and passed:

No. 59, S., a bill for an act to amend chapter 79, of the Revised Statutes, passed 1859, entitled railroads;

No. 179, S., a bill for an act to reduce the capital stock of the Clark County Bank;

No. 183, S., a bill to promote the construction of horse railways in the city of La Crosse;

No. 230, S., a bill for an act to authorize school district No. 1, of the town of Jefferson, to raise a tax to build a school house;

No. 231, S., a bill for an act to amend chap. 193, of the Private and Local Laws of the year 1859, entitled "an act to incorporate the village of Oconto ;"

No. 238, S., a bill for an act authorizing the German Evangelic Lutheran Society of the village of Manitowoc, to re-organize and to change their corporate name and to legalize the acts of said society;

No. 253, A., a bill for an act to amend chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

No. 351, A., a bill to amend an act entitled "an act to incorporate the Green Bay, Milwaukee & Chicago Railroad Co.," approved March 13, 1851, and the acts amendatory thereto;

No. 355, A., a bill for an act to authorize the Corn Planter's Bank of Waupaca, to reduce its capital and remove its place of business ;

Nq. 447, A., a bill for an act to amend chap. 2, of the Rev. Statutes, entitled "of the division of the State into counties and their boundaries;"

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads ;

No. 459, A., a bill for an act to amend sec. 37, of chap. 132, of the Rev. Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society in the city of Fond du Lac ;

No. 497, A., a bill for an act to constitute Shawano county, a part of the tenth judicial circuit, and to fix the terms of court therein ;

No. 509, A., a bill for an act to amend chap. 22, of the Gen. Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;

No. 514, A., a bill for an act to authorize the construction of

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authorize the city of Mil-
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ntine, Barnum, Bart-
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Bank;

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The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly and recommend their passage:

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin with intent to pass the same as false;

No. 232, S., a bill for an act to amend chapter 140, Revised Statutes, entitled of miscellaneous proceedings in civil actions and general provisions.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 497, A., a bill for an act to constitute Shawanaw county a part of the twelfth judicial circuit, and to fix the terms of court therein;

Have had the same under consideration and have instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 512, A., a bill for an act to amend section 20, of chapter 138, of the Revised Statutes, entitled "of cost and fees;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

Mcm. No. 190, A., memorial of the common council of the city of Milwaukee, praying for the passage of a law providing for a summary remedy against railroad companies making default in the payment of principal or interest of corporate bonds issued to such companies;

And

No. 332, A., a bill for an act to protect certain counties, cities, towns and villages;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with certain amendments to the bill, and recommend the passage of the bill when so amended.

AMASA COBB, *Ch'n.*

The committee on Judiciary, to whom was referred bill

No. 494, A., a bill for an act to amend chapter 121, of the

Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings therein;"

Have had the same under consideration and have instructed me to report the same back to the Assembly with an amendment, and recommend it passage when so amended.

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed :

No. 139, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Milwaukee, for the years 1856 and 1857;

No. 372, A., a bill for an act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bill, and find it correctly engrossed under rule 48:

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's mills, in Manitowoc county, to the town of Calumet, in Fond du Lac county.

M. HOWLAND, *Ch'n.*

A majority of the select committee to whom was referred

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county, and the amendments made thereto by the Senate;

Report the same back with the following recommendations:

1st, That the Assembly do not concur in the amendment made to section 1, of said bill;

2nd, That the Assembly concur in the amendments made to section 2, of said bill, and also to section 13, of said bill;

3d, That the Assembly concur to the following amendment made to section 18, viz: by striking out the words "county clerk," where they occur in said section and insert the words "clerk of county court;"

4th, That the Assembly do not concur to any of the other amendments made to said section;

5th, That the Assembly do not concur in the amendment made by the Senate, "strike out all of section 20, and insert 'the county judge shall be entitled to and receive a salary of five hundred dollars per annum, payable quarterly, out of the county treasury;'"

6th, That the Assembly concur in the amendment made to section twenty-three of said bill.

GAB. BOUCK,
GEO. S. BARNUM.

The several recommendations of said committee were adopted.

The select committee, under resolution No. 22, to whom was referred bill

No. 533, A., a bill for an act relating to the assessment of tax;

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do pass.

AND'W. E. ELMORE, *Ch'n.*

SENATE MESSAGE TAKEN UP.

The amendments to

No. 83, A., a bill for an act to lay out a State road from Stevens Point to Eau Claire;

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf the State;"

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists;

No. 284, A., a bill for an act to establish the name of Ellie Metcalf;

And

No. 358, A., a bill for an act to repeal chapter 45, of the General Laws of 1860, entitled "an act to extend the time for collection of taxes in the town of Freedom in the county of Outagamie ;

Were concurred in.

No. 37, A., a bill for an act in relation to the abatement and revivor of suits;

And

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others;"

Were referred to the committee on the Judiciary.

The following bills were severally read first and second times and referred;

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Company;

No. 50, S., a bill for an act to legalize the assessment of taxes in the county of Walworth;

No. 220, S., a bill for an act to repeal chapter 47, of the Private and Local Laws of 1857, entitled "an act to authorize the common council of the city of Oshkosh, Wis., to aid in the construction of gas works in said city;"

No. 225, S., a bill for an act to amend chapter 345, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Black Earth;"

No. 239, S., a bill for an act to incorporate the Manitowoc Gymnastic Association, called in German, "Der Turn Verein;"

And

No. 250, S., a bill for an act to appropriate to Joseph Giles the sum of \$75;

Were placed on the general file.

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases;

To the committee on the Judiciary.

No. 55, S., a bill for an act to establish an official State paper;

To committee on Claims.

BILLS ON THEIR THIRD READING.

No. 139, S., a bill for an act relating to the duties of registrar of deeds;

And,

No. 193, S., a bill for an act to amend chap. 30, of the Private and Local Laws of Wisconsin, for the year 1859, entitled an act to amend an act to incorporate the village of Waukegan;"

Were read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 40, A., a bill for an act to extend the time of payment principal upon school and university land certificates;

No. 282, A., a bill for an act to amend chapter 109, title 21, of the Revised Statutes, entitled "of marriages," and to repeal chapter 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths;"

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with its bond holders;

No. 368, A., a bill for an act to facilitate the collection of judgments;

No. 382, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Marathon;

No. 385, A., a bill for an act to authorize the county of Eau Claire, to keep and maintain a free ferry across the Chippewa river in said county;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled "of the publication of legal decisions;"

No. 426, A., a bill for an act to amend section 21, of chapter 134, Revised Statutes, entitled "of executions, and proceedings supplemental thereto."

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 446, A., a bill for an act for the protection of orchards and fruit trees;

No. 456, A., a bill for an act to authorize commissioners to vacate a certain Territorial road in the county of Waukesha;

And,

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

Also,

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society for the year 1856;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Child, Cobb, Coles, DeWolf, Fairchild, Goodwin, Green, Griffin, Horton, Jackson, Judd, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Patchin Phillips, Rankin, Robertson, Seaton, Simpson, Spottswood, Stannard, Sumner, Upson, VanderCook, Wescott, Whittlesey, Wiley and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Ballantine, Barnum, Brooks, Bunn, Burt, Clise, Dockry, Elmore, Golden, Griswold, Grover, Hammarquist, Hesk, Howland, Humann, Hunkins, McKay, Moore, Palmer, Rogers, Ruan, Weage, Westby and Winter—24.

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Ballantine, Barnum, Bartlett, Bettis, Bovay, Bow, Brooks, Burt, Child, Clise, Cobb, Cole, Coles, DeWolf, Dockry, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Howland, Jackson, Judd, McKay, Moore, Munn, Rogers, Seaton, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Whittlesey, Wood and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Altenhofen, Beath, Bouck, Boyd Bunn, Elmore, Green, Hesk, Humann, Hunkins, Mackay, Meigs, Mulholland, Neville, Palmer, Patchin, Simpson, Wiley and Winter—19.

No. 425, A., a bill for an act to amend section 11, of chap. 110, of the Revised Statutes, entitled "of the registration of marriages, births and deaths;"

Was lost.

BILLS REPORTED BY COM. OF THE WHOLE.

No. 463, A., a bill for an act to appropriate to Hiram A. Stone the sum of \$12,50;

Leave to withdraw the account of Hiram A. Stone was granted.

On motion of Mr. Munn,

No. 272, A., a bill for an act granting to the Madison, Portage City, and Lake Superior Railroad Company certain lands to aid in the construction of a railroad, and to repeal and amend a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company;

Was made the special order for next Thursday, and every day thereafter until disposed of.

Mr. Goodwin moved that the committee on Incorporations be requested to report on bill

No. 42, A.,

With all convenient speed;

Which was agreed to.

Mr. Bouck moved "that the rule requiring bills to be considered in the committee of the Whole, be suspended for the day, and that no bill be debated without unanimous consent, and when debate is indicated the bill shall go to the bottom of the general file;"

Which motion prevailed.

The amendments to

J. Res. No. 4, A.,

Objecting to any change of the naturalization laws;

And,

No. 142, A., a bill for an act to relative to persons mining for lead ore or other minerals;

Were adopted. . . ."

And said resolution and bill, also the following bills were severally read a third time and passed:

No. 59, S., a bill for an act to amend chapter 79, of the Revised Statutes, passed 1859, entitled railroads;

No. 179, S., a bill for an act to reduce the capital stock of the Clark County Bank;

No. 183, S., a bill to promote the construction of horse railways in the city of La Crosse;

No. 230, S., a bill for an act to authorize school district No. 1, of the town of Jefferson, to raise a tax to build a school house;

No. 231, S., a bill for an act to amend chap. 193, of the Private and Local Laws of the year 1859, entitled "an act to incorporate the village of Oconto;"

No. 238, S., a bill for an act authorizing the German Evangelic Lutheran Society of the village of Manitowoc, to re-organize and to change their corporate name and to legalize the acts of said society;

No. 253, A., a bill for an act to amend chap. 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

No. 351, A., a bill to amend an act entitled "an act to incorporate the Green Bay, Milwaukee & Chicago Railroad Co.," approved March 13, 1851, and the acts amendatory thereto;

No. 355, A., a bill for an act to authorize the Corn Planter's Bank of Waupaca, to reduce its capital and remove its place of business;

No. 447, A., a bill for an act to amend chap. 2, of the Rev. Statutes, entitled "of the division of the State into counties and their boundaries;"

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads;

No. 459, A., a bill for an act to amend sec. 37, of chap. 132, of the Rev. Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society in the city of Fond du Lac;

No. 497, A., a bill for an act to constitute Shawano county, a part of the tenth judicial circuit, and to fix the terms of court therein;

No. 509, A., a bill for an act to amend chap. 22, of the Gen. Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 514, A., a bill for an act to authorize the construction of

right's ferry, in Wrightstown,

to authorize the city of Mil-
ge;
appropriate to Hugh Camp-

8;

ere

lantine, Barnum, Bart-
r, Boyd, Brooks, Bugh,
DeWolf, Dockry, El-
lwin, Griswold, Ham-
idd, McKay, Mulhol-
hillips, Rankin, Rog-
VanderCook, Weage,
od and Mr. Speaker

Moore, Ruan, Sea-

to Moseley and

Barnum, Bart-
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Speaker

an, Sea-

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more, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Hunkins, Jackson, Judd, McKay, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Simpson, Stannard, Sumner, Sutton, VanderCook, Weage, Westby, Wescott, Whittlesey, Wiley, Wood, and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Howland, Humann, Kingsbury, Moore, Ruan, Seaton, Spottswood and Upson—8.

No. 528, A., a bill for an act to appropriate H. Bingham the sum of \$80;

The ayes and noes being required,

The bill passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Hunkins, Jackson, Judd, Mackay, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Simpson, Stannard, Sumner, Sutton, VanderCook, Weage, Westby, Wescott, Whittlesey, Wiley, Wood and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Howland, Humann, Kingsbury, Moore, Ruan, Seaton, Spottswood and Upson—8.

No. 543, A., a bill for an act to appropriate to A. G. Darwin the sum of \$257 56;

The ayes and noes being required,

The bill was passed—ayes 53, noes 8;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cole, Coles, DeWolf, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Hunkins, Jackson, Judd, McKay, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Simpson, Stannard, Sumner, Sutton, VanderCook, Weage, Westby, Wescott, Whittlesey, Wiley, Wood and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Howland, Humann, Kingsbury, Moore, Ruan, Seaton, Spottswood and Upson—8.

The Assembly refused to concur in the passage of

No. 132, S., a bill for an act to appropriate to Wakely and Tenney the sum of \$250;

By the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Barnum, Bartlett, Bouck, Bovay, Bow, Hugh, Clise, Cole, Coles, Fairchild, Farwell, Golden, Griswold, Lammarquist, Horton, Johnson, Judd, Munn, Rogers, Spottswood, VanderCook, Weage, Westby, Whittlesey, Wood and Mr. Speaker—27.

Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Bettis, Beath, Boyd, Brooks, Dunn, Burt, Child, DeWolf, Dockry, Elmore, Goodwin, Howland, Humann, Jackson, Kingsbury, McKay, Moore, Neville, Palmer, Patchin, Rankin, Ruan, Seaton, Simpson, Stannard, Sumner, Sutton, Upson, Wescott and Winter—32.

On motion of Mr. Humann,

Said vote was re-considered;

And, on debate being intimated,

No. 132, S.,

Was laid aside.

No. 510, A., a bill for an act to amend chapter 97, of the revised Statutes, entitled "of wills of real and personal estate;"

Was laid on the table.

No. 387, A., a bill for an act to provide for a tax upon dogs;

No. 389, A., a bill for an act to authorize the several wards of the city of Appleton to organize a fire company;

No. 453, A., a bill for an act authorizing the construction and maintenance of a boom in Half Moon Lake;

And

No. 501, A., a bill for an act to incorporate the German Free School Association of the city of Racine;

Were indefinitely postponed.

The enacting clause to

No. 400, A., a bill for an act to amend chapter 46, of the general Laws of 1859, entitled "an act to authorize the formation of town insurance companies;"

And

No. 482, A., a bill for an act concerning the publication of legal process and notices;

Were stricken out.

No. 302, A., a bill for an act to vacate certain lots of the village of the "town of the Island," in Winnebago county;

Mr. Goodwin moved to amend by striking out the words "of village," where they occur in the entitling of said bill;

Also amend section 1, by striking out the words "of the village," where they occur in first and second lines of said section

Which was agreed to,

And said bill was ordered engrossed.

The amendment to

No. 237, A., a bill to annex a part of the city of Appleton to the town of Grand Chute;

Was adopted.

And said bill; also

No. 534, A., a bill for an act to amend chapter 9, of the Revised Statutes, entitled "of the Legislature," and also "acts of a general nature, of 1858," incorporated therein;

Were ordered to be engrossed for a third reading.

No. 85, S., a bill for an act to regulate and license the keeping of dogs;

And

No. 216, S., a bill for an act to appropriate to James M. Flower the sum of \$177;

Were ordered to third reading.

No. 87, A., a bill for an act to amend section 1, of chapter 160, of Session Laws of 1859, entitled "an act to limit the rate of interest."

And

No. 200, S., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest;"

Were referred to the committee on Ways and Means.

No. 217, S., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;

Was referred to committee on Education.

No. 192, S., a bill for an act to incorporate the Mississippi Bottom Plankroad and Ferry Company;

Was referred to committee on Incorporations.

No. 197, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;"

Was referred to the committee on Judiciary.

Mr. Elmore moved a call of the house;

Which was sustained;

The roll was called;

And the following named gentlemen were absent without leave:

Messrs. Lewis, Mackay, McMichael, Meigs, Miller and Weage.

Mr. Bovay moved to dispense with proceedings under the call;

Which was disagreed to.

On motion of Mr. Elmore,

The Assembly adjourned.

MONDAY, March 19, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Mason officiated as chaplain.

On motion of Mr. Bouck,

The reading of the journal was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

7 Mr. Rankin:

Mem. No. 328, A., of N. Berners and others for an act for the preservation of fish in Manitowoc and Kewaunee counties;
To committee composed of the delegation from Manitowoc county.

7 Mr. Palmer:

Mem. No. 329, A., of Hale, Manney & Co., and others, rip owners of Merchant's Mutual Insurance company, of Milwaukee, for relief;
To committee on Judiciary.

7 Mr. Fairchild:

Mem. No. 330, A., of the Executive Committee of the Dane county Agricultural Society, in behalf of bill to restrain dogs;
To accompany No. 85, S.

7 Mr. Hammarquist:

Mem. No. 331, A., of H. H. Potter and others, for an act to prohibit fishing in Lake Ripley at certain times therein stated;
To Jefferson county delegation.

7 Mr. Speaker:

Mem. No. 332, A., remonstrance of school commissioners of Racine city, against certain provisions in the proposed new charter of that city;
To committee on Incorporations.

ACCOUNTS,

Presented and referred;

7 Mr. Moore:

No. 88, A., the account of John Bronson;
To committee on Claims.

By Mr. Bunn:

No. 84, A., the account of L. H. D. Crane;
To committee on Claims.

RESOLUTIONS INTRODUCED.

By Mr. Bouck:

Res. No. 129, A.;

Resolved, That the Attorney General is hereby requested to inform the Assembly whether, in his opinion, chapter 68 of the General Laws of 1859, entitled "an act to organize the county of Shawanaw for judicial purposes," were enacted in compliance with the provisions of the constitution of this State, and whether the same is now a verbal law, or null and void.

On motion of Mr. Bouck;

The rules were suspended,

And the resolution was adopted.

By Mr. Cobb:

J. Res. No. 82, A.

Whereas, It is announced by telegraph, from the seat of the Federal Government, that the homestead bill which lately passed the House of Representatives, and which was referred to the committee on Public Lands in the Senate of the United States, has been reported back with amendments, providing, among other things, that the benefits of said homestead bill shall not apply to foreigners who may declare their intentions to become citizens of the United States after the passage of said act; and

Whereas, While the people of the State of Wisconsin, are devotedly attached to the principle of "free homes for the homeless," and hence in favor of the passage of said bill as it came from the House of Representatives, they are opposed to said bill as amended by the Senate committee, deeming as they do, that by the provisions above referred to, it violates the great principle of equality which underlies our system of government, believing that the greatest blessing to be derived from the homestead law is an increased emigration of European farmers, artisans and laborers, to occupy and cultivate our vast unoccupied domain, and that to cut them off from the benefits of such law, would not only be wrong and unjust in principle, but would tend to lower our national character throughout the world and would subject us to the charge of selfishness and proscription unworthy a nation heretofore claiming to be the asylum of the oppressed of all nations; therefore—

Resolved, by the Assembly, the Senate concurring, That we the free people of the State of Wisconsin, solemnly protest

against the passage of any law by our national Legislature which discriminates between different classes of citizens of the United States, or between citizens and those who declare their intentions to become citizens.

Resolved, That our State Senators in Congress be instructed, and Representatives requested to use all proper means to procure the passage of the Homestead Bill as it passed the House of Representatives, but never to consent to the passage of said act, or any act containing the provisions of the Senate amendment, known as Mr. Johnson's Bill.

Resolved, That the Governor be, and he is hereby requested to furnish a copy of these resolutions to each of our Senators and Representatives in Congress with all convenient speed ;

Which was read first and second times ;

On motion of Mr. Palmer,

The rules were suspended, and

Said resolution was read a third time and adopted.

RESOLUTIONS CONSIDERED.

Res. No. 113, A.,

Fixing the hour of meeting of daily sessions ;

Introduced by Mr. Mulholland on the 9th inst., and postponed until to day ;

Was laid on the table.

Res. No. 127, A.,

Providing postage stamps for employees ;

Introduced by Mr. Bouck on the 17th inst. ;

Was lost by the following vote :

Those who voted in the affirmative were

Messrs. Cole, Elmore, Fairchild, Goodwin, Grover, Hesk, Norton, Jackson, Neville, VanderCook and Mr. Speaker—11.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Coles, DeWolf, Deckry, Golden, Griswold, Hammarist, Howland, Hunkins, Judd, Mackay, McKay, Moore, Mulholland, Palmer, Patchin, Rankin, Rogers, Seaton, Simpson, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Wiley, Winter and Wood—45.

Res. No. 128, A.,

Limiting discussion to five minutes ;

Introduced by Mr. Wescott, on the 17th inst.,

Was laid on the table.

On motion of Mr. Bouck ;

Res. No. 31, A.,

Amending Joint Rule No. 19, of the Senate and Assembly ;

Which was laid on the table on Saturday;
Was taken from the table,
And adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred:

By Mr. Bouck:

No. 571, A., a bill for an act providing for a lien for labor or services upon logs and timber, in certain cases;

To delegation from Winnebago, Outagamie, Waupaca and Shawanaw counties, and Mr. Lewis.

By Mr. Rankin:

No. 572, A., a bill for the preservation of fish in the counties of Manitowoc and Kewaunee;

To delegation from Manitowoc county.

By Mr. Bovay:

No. 573, A., a bill for an act to protect the State against loss by the withdrawal, in certain cases, of banking securities deposited with the State Treasurer;

To committee of the Whole,

And

No. 574, A.; a bill for an act to amend an act entitled "an act to incorporate the city of Ripon, approved March 20, 1858;

To committee of the Whole.

By Mr. Barnum:

No. 575, A., a bill for an act to vacate a certain street in the village of Waukau;

To committee of the Whole.

By Mr. Howland:

No. 576, A., a bill for an act providing for the payment of the costs of foreclosing mortgages in certain cases;

To committee of the Whole.

By Mr. Hammarquist;

No. 577, A., a bill for an act for the preservation of fish in Lake Ripley;

To Jefferson county delegation.

By Mr. Patchin:

No. 578, A., a bill for an act for the relief of John Bender;
To committee on Claims.

By Mr. Speaker:

No. 579, A., a bill for an act to detach certain lands from the Burlington Union school district, in the county of Racine;

To committee on Education, with instructions to report a general law.

By Mr. Goodwin:

No. 580, A., a bill for an act to authorize the village of Menasha to aid in the construction of railroads;

To committee on Railroads.

REPORTS OF COMMITTEES.

The committee on Ways and Means, to whom was referred, No. 200, S., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest;"

Also,

No. 87, A., on the same subject;

Respectfully report that these bills propose so to amend the General Laws as to limit the maximum rate of interest at *ten* per centum instead of *twelve*, as now authorized by law.

Without discussing the propriety or impropriety of laws limiting the rate of interest, (upon which subject there is, and always has been, great diversity of opinion,) your committee cannot but regard the alteration proposed by these bills, as of small amount and trifling importance; and if enacted by the legislature, may well be regarded as evincing a disposition to *agitate* the settled policy of the State on this subject, rather than to afford any substantial benefit to the people.

Your committee would respectfully call attention to the fact that by the present law banks in this State are permitted to discount paper at the rate of ten per cent., while other and individual persons are (as your committee think) wisely authorized to receive twelve per cent. This difference or distinction between the two cases, is but an act of eminent justice, when it is remembered that the banks have privileges and franchises of great value and importance, not enjoyed by or granted to citizens generally.

For these reasons, as well as many others, which might be stated, your committee return the said bills, and recommend that their further consideration be indefinitely postponed.

All of which is respectfully submitted.

STODDARD JUDD,
O. W. BOW,
E. W. STANNARD,
SAMUEL COLE.

The question being, shall said bill

No. 200, S.,

Be indefinitely postponed;

The Assembly refused to indefinitely postpone said bill, by the following vote:

Those who voted in the affirmative were

Messrs. Barnum, Bouck, Bow, Boyd, Bugh, Bunn, Cole, Dockry, Fairchild, Griswold, Hammarquist, Howland, Judd, Mackay, Moore, Rankin, Seaton, Spottswood, Stannard and Wiley—20.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Bartlett, Bettis, Beath, Bo-vay, Brooks, Burt, Child, Clise, Cobb, DeWolf, Elmore, Golden, Goodwin, Green, Grover, Hesk, Horton, Hunkins, Jackson, McKay, Mulholland, Neville, Palmer, Patchin, Rogers, Simpson, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Whittlesey, Wood and Mr. Speaker—37.

Said bills

Nos. 200 S., and 87, A.,

Were then sent to the general file.

A majority of the committee on Swamp and Overflowed Lands, to whom was referred bill

No. 532, A., a bill for an act to lay out a State road from Wausau to the State line, north, and to make an appropriation therefor;

Have had the same under consideration, and report the same by substitute, and recommend the passage of the substitute.

A. WHITTLESEY, Ch'n.

The committee on Incorporations, who, by resolution of this Assembly, on Saturday, were instructed to report on

No. 42, A., with all convenient speed,

Beg leave to say, in answer to such instructions, that, according to all and several, the knowledge, information, belief and recollection of your committee, no such bill has ever been committed by this Assembly to our keeping. And this we are ready to verify. Therefore your committee beg to be discharged from all further obligation imposed by the said resolution. It is a hard master that reaps where he has not sown. So say we all.

R. BUNN, Ch'n.

The committee on Incorporations, to whom was referred bill No. 422, A., a bill for an act to incorporate the village of Wausau;

With

No. 291, A., accompanying the same,

Have had said bill and memorial under consideration, and

have instructed me to report the bill back with amendments, and recommend its passage when so amended.

ROMANZO BUNN, *Ch'n.*

The committee on Privileges and Elections to whom was referred

No. 496, A., a bill to provide for the publication of election notices ;

Respectfully report that in their opinion, the present law provides amply for the publication of election notices, and therefore recommend that the enacting clause of said bill be stricken out.

J. S. BUGH, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bill and find it correctly engrossed under rule 48 :

No. 524, A., a bill for an act to amend chap. 9, of the Rev. Statutes, entitled "of the Legislature, and also acts of a general nature of 1853," incorporated therein.

M. HOWLAND, *Ch'n.*

The committee on Roads, Bridges and Ferries to whom was referred

No. 551, A., a bill for an act to lay out a State road from Oneida county, to Portage county, and accompanying memorials ;

Have had the same under consideration, and respectfully report the same back to the House, and recommend its passage.

C. G. HAMMARQUIST, *Ch'n.*

The select committee consisting of the Manitowoc delegation, to whom was referred

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local Laws of 1858, relating to a certain State road therein named ;

Have had the same under consideration, report it back with amendments and recommend its passage when so amended.

JOS. RANKIN, *Ch'n.*

The amendments to said bill were agreed to,
And the bill was ordered to a third reading.

The select committee to whom was referred,

No. 571, A., entitled a bill for an act to provide for a lien for labor and services upon logs and timber in certain counties; Report the same back and passage recommended.

GAB. BOUCK,
GEO. B. GOODWIN,
M. COLES,
M. B. PATCHIN,
GEO. S. BARNUM,
JOHN WILEY.

The rules were suspended, and
Said bill was ordered to its engrossment.

The committee on the Judiciary, to whom was referred No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island, for the use of the State;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, without recommendation and ask to be discharged from the further consideration of said bill.

AMASA COBB *Ch'*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 278, A., a bill for an act to amend the charter of the city of Appleton;

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable, scientific and literary societies;

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's Message in foreign languages, and for an appropriation of money for the payment therefor;

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Education, School and University Lands, to whom was referred No. 217, S., respectfully report the same back with the recommendation that it do pass.

M. B. PATCHIN,
JAMES CHILD,
G. C. MEIGS;

SENATE MESSAGE CONSIDERED.

The Senate amendment to
No. 319, A., a bill for an act authorizing the Superintendent

if Public Property to purchase the Governor's Message in foreign languages, and for an appropriation of money therefor;

Was concurred in, by the following vote:

Those who voted in the affirmative, were

Messrs. Bartlett, Bettis, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, DeWolf, Goodwin, Griswold, Hammarquist, Horton, McKay, Moore, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Wood and Mr. Speaker—32.

Those who voted in the negative, were

Messrs. Altenhofen, Ballantine, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Golden, Green, Hesk, Howland, Jackson, Mackay, Mulholland, Neville, Palmer, Patchin, Rankin, Seaton, Simpson, Wiley and Winter—24.

BILLS ON THEIR THIRD READING.

No. 85, S., a bill for an act to regulate and license the keeping of dogs;

Was read a third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were read a third time and passed:

No. 139, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Milwaukee for the years 1856 and 1857;

And

No. 421, A., a bill for an act to provide for the laying out of a State road from Danforth's Mills, in Manitowoc county, to the town of Calumet, in Fond du Lac county.

The title to No. 421, A., was amended so as to read as follows:

"A bill for an act to provide for the laying out of a State road from the village of Kiel, in Manitowoc county, to the town of Calumet, in Fond du Lac county."

Mr. McMichael was granted leave of absence for an indefinite time on account of sickness.

Mr. Palmer moved "that the rules requiring bills to be considered in committee of the Whole, be suspended for the day, and that no bill be debated without unanimous consent, and when debate is indicated, the bill on which debate is indicated shall go to the bottom of the general file;"

Which was agreed to.

The amendment to the following bills were concurred in and they were ordered to be engrossed for a third reading:

No. 141, A., a bill for an act to locate and establish school house sites;

No. 380, A., a bill for an act prescribing the place of filing chattel mortgages on certain classes of property;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 470, A., a bill for an act to organize the county of Ashland;

No. 494, A., a bill for an act to amend chapter 121 of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases and of the proceedings therein;

No. 550, A., a bill for an act to require the Treasurer of the city of La Crosse to receive school district orders in payment of school tax;

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

And

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas.

The amendment to

No. 64, S., a bill for an act to discontinue the surveys and selections of swamp and overflowed lands in this State;

Was concurred in, and said bill; also

No. 250, S., a bill for an act to appropriate to Joseph Giles the sum of \$75;

And

No. 253, S., a bill for an act to authorize the School Land Commissioners to remit certain penalties;

Were ordered to a third reading.

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Co.;

No. 50, S., a bill to legalize the assessment of taxes in the county of Walworth;

No. 220, S., a bill for an act to repeal chapter 47, of the Private and Local Laws of 1857, entitled "an act to authorize the common council of the city of Oshkosh, Wis., to aid in the construction of gas works in said city;

No. 225, S., a bill for an act to amend chapter 345, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Black Earth;"

No. 150, S., a bill to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed, of the proof and recording of conveyances, and the canceling of mortgages;"

No. 232, S., a bill for an act to amend section 2, chapter 140, Revised Statutes, entitled "of miscellaneous proceedings in civil actions, and general provisions;"

No. 239, S.; a bill for an act to incorporate the Manitowoc gymnastic Association, called in German "Der Turnverein;"

And

No. 268, S., a bill for an act to amend an act entitled an act amend an act entitled an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof;

Were read a third time and concurred in.

The amendments to

No. 259, A., a bill for an act to incorporate the Fort Howard and Appleton Railroad Company;

And

No. 484, A., a bill for an act relating to the assessment and collection of taxes on school, university and swamp lands, and all lands mortgaged to the State;

Were concurred in; and

Said bills, also the following entitled bills, were severally read a third time and passed:

No. 422, A., a bill for an act to incorporate the village of Musau;

No. 438, A., a bill for an act to amend section 88, chapter 11, Revised Statutes, entitled "of executions, and proceedings supplementary thereto;"

No. 445, A., a bill for an act to provide for the disposal and expenditure of the Drainage Fund moneys in Oconto county;

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

No. 455, A., a bill for an act to change the name of Sarah Cabe to Sarah Kate Graves;

No. 460, A., a bill for an act legalizing a State road thereinafter named;

No. 462, A., a bill for an act authorizing the town clerk of the town of Port Washington to convey real estate;

No. 492, A., a bill for an act to amend chapter 181, of the General Laws of 1859, entitled "an act concerning the amendment of pleadings;

No. 498, A., a bill for an act conferring certain powers upon the board of supervisors of the county of Green Lake;

No. 506, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Trempealeau;

No. 508, A., a bill for an act to legalize certain State roads therein named;

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin, with intent to pass the same as false;

No. 531, A., a bill for an act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

No. 533, A., a bill for an act relating to the assessment of taxes;

No. 537, A., a bill for an act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston, approved May 8, 1858;

No 541, A., a bill for an act to change the name of Martha Pherm and to establish her guardianship and heirship;

No. 548, A., a bill for an act to repeal an act conferring civil jurisdiction on the county court of Monroe county, approved March 11, 1859;

No. 549, A., a bill for an act to authorize the trustees of the village of Sparta, to renew the warrant for the collection of unpaid taxes of said village;

No. 551, A., a bill for an act to lay out a State road from Juneau county to Portage county;

No. 552, A., a bill for an act providing for an increase of highway tax in the county of Richland;

No. 557, A., a bill for an act to authorize the laying out of a State road from the Manitowoc river to the village of Menasha;

No. 562, A., a Bill for an act to amend an act, entitled "an act to define, confirm and legalize the acts of a fish inspector in the city of Milwaukee;"

No. 569, A., a bill for an act to incorporate the Milwaukee Mutual Laborers Relief Society;

No. 574, A., a bill for an act to amend an act entitled "an act to incorporate the city of Ripon," approved March 20, 1858;

And,

No. 575, A., a bill for an act to vacate a certain street in the village of Waukau;

No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island for the use of the State;

Was recommitted to the committee on the Judiciary.

The enacting clauses of

No. 175, A., a bill for an act to amend section 21, of chapter 122, of the Revised Statutes, entitled "of the forms of civil actions, and parties thereto;"

No. 481, A., a bill for an act to prohibit county Judges, or other officers in this State, to admit persons charged with the crime of murder to bail before trial;

No. 486, A., a bill for an act to repeal sections 8, 9, 10 and 11, of chapter 94, of the Revised Statutes, entitled "of the sale

nds for the payment of debts by executors, administrators, and guardians;

No. 496, A., a bill for an act to provide for the publication of election notices;

No. 499, A., a bill for an act to regulate the practice in courts in certain cases;

And

No. 511, A., a bill for an act to amend section 4, of chapter 10, of the General Laws of 1859, entitled "an act in relation to the foreclosure of mortgages on real estate, and to repeal an act entitled 'an act relating to the foreclosure of mortgages, and the sale of lands under such foreclosure,' " approved, May 1, 1858.

On leave,

Mr. Cobb introduced,

No. 581, A., a bill for an act to provide for the indexing and transcribing the journals of the Senate and Assembly;

Which was read first and second times,

And referred to committee on Claims.

REPORT :

A majority of the committee on Railroads (being all the members thereof in attendance,) report back Assembly bill

No. 580, A., entitled a bill for an act to authorize the village of Menasha to aid in the construction of railroads;

Without amendment, and the passage thereof recommended.

GAB. BOUCK,

In behalf of the Committee.

On motion of Mr. Bartlett,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

On leave, Mr. Brooks introduced,

No. 582, a bill for an act to provide for the assessment of additional highway taxes in the county of Fond du Lac;

Which was read first and second times, and

On motion of Mr. Brooks,

The rules were suspended, and

No. 582, A.,

Was read a third time and passed,
And the title agreed to.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed :

J. Res. No. 4, A.,

Objecting to any change of the naturalization laws;

No. 237, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute;

No. 302, A., a bill for an act to vacate certain lots of the town of the Island, in Winnebago county;

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

No. 525, A., a bill for an act to authorize the city of Milwaukee to construct a certain bridge.

M. HOWLAND, *Ch'n.*

The select committee to whom was referred

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes, and the acts amendatory thereof;

And bill

No. 11, S.,

On the same subject.

Respectfully report that they have carefully examined the same, have prepared a substitute therefor, and recommend the passage of the substitute.

STODDARD JUDD,
GAB. BOUCK,
EDWARD SUMNER.

On motion of Mr. Judd,

Said bill

No. 412, A.,

And substitute,

Were made the special order for to-morrow morning, at 10 o'clock.

The joint committee on Enrolled Bills report that on the 17th inst., they presented to the Governor for his approval, the following bills:

No. 143, A., a bill for an act restoring Levi B. Hanan to citizenship ;

No. 301, A., a bill for an act to appropriate to Mitchell L. Delaney the sum of \$75 ;

No. 420, A., an act to provide and appropriate compensation to the officers of the Legislature ;

No. 305, A., a bill for an act to amend an act entitled "an act to incorporate the United States Insurance Company," approved April 3d, 1854 ;

No. 331, A., a bill for an act to authorize the board of supervisors of the county of Oconto, to pay for the construction of the State road from Fort Howard, Brown county, to the Menomonee river ;

No. 391, A., a bill for an act to appropriate to S. G. Benedict the sum of \$12.

No. 392, A., a bill for an act to appropriate to Lewis Gootman the sum of \$98 86 ;

No. 408, A., a bill for an act to change the name of Lander, in the county of Grant, to the name of Tafton ;

No. 522, A., a bill for an act authorizing the town of Oakland to subscribe for fifty shares of the capital stock of the Union Hall Co., and to levy a tax to pay for the same ;

No. 278, A., a bill for an act to amend sec. 28, of chapter 182, of the Revised Statutes, entitled "of issues, mode of trial and judgments in civil actions."

ALBERT WOOD, of *Assem. Com.*

GEO. BENNETT, of *Senate Com.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
MADISON, March 17, 1860.

To the Assembly :

The following entitled bills, originating in the Assembly, have severally received the Executive signature, and have been deposited in the office of the Secretary of State:

An act to annex certain territory to Geneva school district No. 1;

An act to incorporate the village of Fort Atkinson;

An act to amend chapter 127, of the General Laws of 1859, entitled "an act to require the circuit judge of the third judicial circuit, to hold special terms of the circuit court;"

An act to amend an act entitled "an act to incorporate the village of Geneva;"

An act to amend an act entitled "an act to incorporate the city of LaCrosse, and the several acts amendatory thereto," approved March 14, 1856;

An act to authorize persons having a lien upon land to pay the taxes upon the same;

An act to incorporate the Workmen's Relief Association, of the city of Watertown;

An act to provide for the disposal of the drainage fund moneys in the county of Fond du Lac;

An act to change the boundaries of the counties of Marathon, Shawano and Oconto;

An act to amend chapter 91, of the Laws of 1858, entitled "an act to provide for the protection of stockholders of railroad corporations;"

An act to amend sections 35 and 46, of chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

An act to make certain records in Brown county evidence in certain cases;

An act to restore Wm. Greeno to citizenship;

An act to amend an act entitled "an act to incorporate the Mutual Life Insurance Company, of the city of Madison," approved March 19, 1859;

An act prescribing the mode of sales on judgments or orders of court in certain cases;

An act to amend an act to incorporate the borough of Fort Howard, and the act amendatory thereto, approved October 13, 1856;

An act in relation to costs or appeals from the boards of supervisors;

An act to appropriate to Church & Hawley the sum of \$198 61;

An act to authorize the city of Madison to levy and collect a special tax for the years 1860 and 1861;

An act to appropriate to Seth M. Van Bergen the sum of \$75 88;

An act to incorporate the village of Pepin;

An act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad;

An act to appropriate to Thomas B. Lacy the sum of \$87 68;

An act to authorize the district board of joint school district No. 2, of the town and city of Ripon to collect a tax;

An act for the relief of settlers on N. E. qr of section 16, township 26, range 16, in Shawano county;

An act to provide for laying out a State road from Shawano to the State line;

An act to provide for the sale of lands returned to the county treasurer of the county of Chippewa, for the non-payment of taxes, for the year 1857;

An act to change the time for holding elections in the city of Hudson;

- An act restoring Levi B. Hanan to citizenship ;
An act to appropriate to Mitchell L. Delaney the sum of \$75;
An act to provide and appropriate compensation to the officers of the Legislature ;
An act to amend sec. 28, of chap. 132, of the Rev. Statutes, entitled "of issues, mode of trial and judgments in civil actions ;"
An act to amend an act entitled "an act to incorporate the United States Insurance Co.," approved April 8d, 1854 ;
An act to authorize the board of supervisors of the county of Oconto, to pay for the construction of the State road from Fort Howard, Brown county, to the Menomonee river ;
An act to appropriate to S. G. Benedict the sum of \$12 ;
An act to appropriate to Louis Gootman the sum of \$98 86;
An act to change the name of Lander, in the county of Grant, to the name of Tafton ;
An act authorizing the town of Oakland, to subscribe for fifty shares of the capital stock of the Union Hall Co., and to levy a tax to pay for the same.

ALEX. W. RANDALL.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

- I am directed to present to you for signature
No. 180, S., a bill for an act to amend an act entitled an act to annex certain territory to the town of Hudson;
No 57, S., a bill for an act authorizing the city of Hudson to issue bonds.
Na. 5, S., memorial to the Post Master General for a change in a mail route;
I am further directed to inform you that the Senate recedes from its amendment to
No. 76, A., a bill for an act providing for the bringing of suits upon sheriffs' bonds;
And has refused to concur in passage of
No. 108, A., a bill for an act to amend chapter 43, of the Revised Statutes, entitled "of strays and lost money and goods;"
And has concurred in the Assembly amendment to
No. 142, S., a bill for an act to amend section 1, of chapter 104, of the General Laws of 1859, entitled "an act to enlarge the civil jurisdiction of the county court of LaCrosse county.
And has concurred in passage of

No. 164, A., a bill for an act to appropriate to L. E. Saxton the sum of \$83;

No. 435, A., a bill for an act to amend an act entitled "an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof into one act, and to amend the same," approved March 25th, A. D., 1858, and all acts amendatory of said acts;

No. 558, A., a bill for an act to authorize the commissioners of school and university lands to issue certain school land certificates;

No. 441, A., a bill for an act to extend the time of collections of taxes in the city of Watertown.

And has passed and asks the concurrence of the Assembly in

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled "of notaries public;"

No. 120, S., a bill for an act relative to proceedings in county courts in certain cases;

No. 177, S., a bill for an act to establish a highway therein described;

No. 209, S., a bill for an an act to amend section 106, of chapter 28, of the Revised Statutes, entitled of the school and university lands;

No. 215, S., a bill for an act to appropriate to James M. Maughs \$25;

No. 269, S., a bill for an act to provide for issuing a patent of certain lands to Michael Gleiter;

No. 272, S., a bill for an act to provide for the holding of the annual school meeting in school district No. 4, of the town of East Troy;

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

No. 324, S., a bill for an act to amend section 79, of chapt. 133, of Revised Statutes;

No. 318, S., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvement, and to repeal section 4, of subdivision 6, chapter 133, of the Private and Local laws of 1857, entitled "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof."

REPORT.

The joint committee on Enrolled Bills, report that on the 15th inst., they presented to the Governor, for his approval, bill

No. 288, S., a bill for an act to provide for laying out of a State road, from Howard City, Dane county, to the village of Waterloo, in Jefferson county;

That on the 16th inst., they also presented to the Governor, for his approval, the following bills, viz:

No. 60, S., a bill for an act to authorize the Citizens' Bank of Oshkosh, to remove to Black River Falls, Jackson county;

No. 181, S., a bill for an act to amend chapt. 22, of the Rev. Statutes, entitled "of academies and normal schools;"

No. 76, S., a bill for an act to amend an act approved March 11, 1859, entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855;

No. 105, S., a bill for an act to amend chapter 52, of the General Laws of 1859, entitled "an act relating to the Dane county court;"

No. 81, S., a bill for an act to amend an act entitled "an act to incorporate the Yellow River Improvement Company," approved March 2, 1857;

No. 207, S., a bill for an act to appropriate to L. P. Harvey the sum of \$446,75;

No. 242, S., a bill for an act concerning testimony and investigation:

No. 257, S., a bill for an act to to authorize the holding of a special term of the circuit court in and for the county of Jefferson.

G. BENNETT, *of Senate*,
C. MILLER, *of Assembly*.

On motion of Mr. Bartlett,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file of bills,
Mr. Bartlett in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, reported back the following bills with the several recommendations accompanying the same, and asked leave to sit again.

Leave was granted.

No. 475, A., a bill for an act to encourage the investment of capital in manufacturing business in this State;

No. 167, S., a bill for an act concerning bills of exchange and promissory notes;

No. 159, A., a bill for an act relating to public officers and their duties;

No. 217, S., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

No. 535, A., a bill for an act to amend section 1, of chapter 59, of the Revised Statutes, entitled "of the rates of toll for grinding;"

No. 200, S., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest;"

No. 468, A., a bill for an act to amend chapter 134, of the Revised Statutes, entitled "of executions and proceedings supplementary thereto;"

No. 507, A., a bill for an act to purchase town laws of B. Domschke, and to appropriate certain money therein mentioned;

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200;

J. Res. No. 20, A.,

Joint resolutions on the subject of slavery and colonization.

No. 188, S., a bill for an act concerning the transcribing of records;

No. 289, S., a bill for an act to provide for the reimbursement of certain moneys to the general fund from the swamp land fund;

And

No. 298, S., a bill for an act to exempt sewing machines from levy and sale on execution;

Without recommendation.

No. 471, A., a bill for an act to repeal sections 41 and 55, of chapter 133, of the Revised Statutes, entitled "costs and fees," and acts amendatory thereto;

And,

No. 491, A., a bill for an act to amend chapter 149, of the General Laws of 1859;

With recommendation of reference to committee on the Judiciary.

No. 87, A., a bill for an act to amend section 1, chapter 160, of Session laws of 1859, entitled "an act to limit the rate of interest;"

With recommendation that the enacting clause be stricken out.

No. 30, S., a bill for an act to provide for the service of process on non-resident defendants in certain cases;

No. 168, S., a bill for an act to repeal sections 1, 2, 3, 4, 5, 6 and 7, of chapter 79, of the Revised Statutes, entitled "of railroads;"

And,

No. 307, A., a bill for an act to abolish the office of town

superintendent of common schools, and create the office of county superintendent of common schools;

With recommendation of indefinite postponement.

REPORT OF COMMITTEE OF THE WHOLE

Considered.

No. 30, S.,

Was amended and recommitted to the committee on the Judiciary.

No. 535, A.,

Was laid on the table by the following vote :

Those who voted in the affirmative were

Messrs. Ballantine, Barnum, Blackman, Bouck, Bovay, Bunn, Child, Clise, Coles, Dickson, Fischer, Griswold, Immerquist, Horton, Howland, Hunkins, Johnson, Langland, Miller, Mitchell, Moore, Nash, Ordway, Patchin, Rankin, Robertson, Seaton, Smith, Spottswood, Sumner, Weage, Wher, Whiting Wood and Mr. Speaker—36.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bettis, Beath, Bow, Brooks, Burt, Cobb, Dockry, Elmore, Fairchild, Gold, Green, Hartung, Hesk, Holton, Humann, Judd, Kingsbury, McKay, Mulholland, Neville, Palmer, Phillips, Rogers, Ruschmidtner, Simpson, Stannard, Upson, VanderCook, Westcott and Winter—35.

J. Res. No. 20, A.,

Was amended and ordered to be engrossed,

By the following vote—ayes 41, noes 25.

Those who voted in the affirmative were

Messrs. Ballantine, Barnum, Bartlett, Bettis, Brooks, Bugh, Burt, Child, Clise, Cobb, Coles, Dickson, Golden, Griswold, Holton, Horton, Howland, Johnson, Judd, Langland, McKay, Miller, Mitchell, Moore, Nash, Ordway, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Westcott, Wheeler, Whiting, Wood and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Fairchild, Green, Hesk, Humann, Hunkins, Mackay, Mulholland, Neville, Palmer, Patchin, Rankin, Ruan, Schmidner, Seaton, Simpson, Sutton and Wiley—25.

No. 307, A., and 168, S.,

Were indefinitely postponed.

Mr. Elmore moved to amend section 2, of

No. 167, S.,

By striking out the word "preceding" and insert the word "succeeding,"

Which was agreed to.

No. 167, 217, 289, and 298, S.,

Were ordered to a third reading.

No. 471, and 481, A.,

Were referred to committee on Judiciary.

No. 159, and 529, A.,

Were ordered to be engrossed.

No. 475, and 507, A.,

Were laid on the table.

Are enacting clauses to

No. 87, and 468, A.,

Were stricken out.

No. 188, S.,

Was referred to select committee under Res. No. 22, A.

No. 200, S.,

Was made the special order for Wednesday next.

On motion of Mr. Judd;

The vote by which the Assembly refused to pass

No. 460, A., a bill for an act legalizing a State road therein amended;

Was reconsidered;

And

No. 460, A.,

Was read a third time and passed;

And the title agreed to.

On motion of Mr. Bettis,

The vote by which the Assembly passed

No. 582, A., a bill for an act to provide for the assessment of additional highway taxes in the county of Fond du Lac;

Was reconsidered;

And said bill was referred to the delegation from Fond du Lac county.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to inform you that the Senate has concurred in the passage of

No. 263, A., a bill for an act to reduce the capitol stock of the Walworth County Bank;

No. 363, A., a bill for an act to authorize the St. Croix River Bank, to reduce its capital stock;

No. 411, A., a bill for an act to appropriate to Thos. McFarland the sum of \$81 75;

No. 432, A., a bill for an act to appropriate to Milo Coles the sum of \$50 98;

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122 45;

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton, the sum of \$77 15;

I am further directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in the following bills :

No. 263, S., a bill for an act to appropriate Wm. Edgar the sum of \$15 25.

No. 265, S., a bill for an act to appropriate to S. S. Keyes the sum of \$23.

No. 296, S., a bill for an act to appropriate to Rufus Parks the sum of \$40.

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$68.

No. 306, S., a bill for an act to appropriate to Thomas Gill the sum of \$30.

No. 307, S., a bill for an act to appropriate to Thos. Knudson the sum of \$38.

No. 308, S., a bill for an act to appropriate to Wm. J. Gill the sum of \$42.

No. 309, S., a bill for an act to appropriate to Francis Henwood the sum of \$30.

No. 310, S., a bill for an act to appropriate to Wm. Hawley the sum of \$42.

On motion of Mr. Judd,
The Assembly adjourned.

TUESDAY, March 20, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Green,

The reading of the journal of yesterday was dispensed with.

COMMUNICATION.

OFFICE OF ATTORNEY GENERAL,
March 16, 1860.

To the Hon. the Assembly of the State of Wisconsin :

I have the honor to acknowledge the receipt of your resolution No. 98, requiring me to communicate to your Honorable body whether, in my opinion, "the Chicago and North-Western Railroad Company, is the legal representative of the Wisconsin and Superior Railroad Company, and as such, entitled to the rights, privileges and immunities granted and conferred upon the said Wisconsin and Superior Railroad Company, by virtue of the act incorporating said company."

In reply I have to say:

By an act of Congress, approved May 21st, 1856, certain lands were granted to the State of Wisconsin "for the purpose of aiding in the construction" of certain railroads in the State, and were made subject to the disposal of the Legislature for the purposes named in the act. This was the only limitation upon the power of the Legislature to convey, except that only a limited quantity was to be sold at a time, and only as the work should progress.

The Legislature of this State, by an act approved October 11th, 1856, created the Wisconsin and Superior Railroad Co., with the usual and ordinary powers of corporations of that kind, and with power "to take, hold and occupy all such lands as might be given or granted to it by the State."

The Legislature also, by this act, "invested" that company with the title to the lands, and all and singular the "rights, privileges and immunities granted or conferred" by the act of Congress above cited, with a proviso, that the title should not vest faster than the lands might be sold, according to the provisions of the act of Congress.

Section 12, of this act of the Legislature gives this company power "to mortgage, or pledge, or otherwise dispose of all their property and franchises of every description, and all their right, title, interest, claim or demands of, in or to any lands, or interest in lands, granted to said company by this act. The same power is again given in more express and explicit terms in section 17, of this act, and in section 1, of an act entitled "an act concerning railroads," approved Oct. 10th, 1856, and since embodied into our Revised Statutes, as section 33, of chapter 76.

In this last named statute it is provided, that in case of any sale of any railroad on foreclosure of any mortgage thereon, the "party acquiring title under said sale, and their associates, successors or assigns, shall have and acquire thereby, and shall exercise and enjoy thereafter, all and the same rights, privileges, grants, franchises, immunities and advantages, in and by said mortgage or trust deed, enumerated and conveyed, which belonged to and were enjoyed by the company making such deed and mortgage. * * * Such purchaser or purchasers their associates, successors or assignees may proceed to organize and elect directors, distribute and dispose of stock, take the same or another name, and may conduct their business generally, under, and in the manner provided in the charter of such railroad company, with such variations in manner and form of organization as their altered circumstances, and better conveniences may seem to require; provided, however, no greater or enlarged powers shall be exercised by the new organization than are conferred by the charter of such company."

The Legislature of the State, by an act approved February 12th 1859, authorized the Wisconsin and Superior Railroad Company, and the Chicago, St. Paul and Fond du Lac Railroad Company, to consolidate their capital stock, and form one company, under the name of the latter company, and gave to the new company, when created all the rights, powers and franchises possessed by either of the old, and in express terms conferred upon it, "all and singular, the rights, privileges and immunities" granted by the act of Congress first above cited.

The proceeding required to effect this consolidation on the part of the companies, were the consent of a majority of the stockholders of each company, in the first instance, and then the written agreement of consolidation to be executed by the board of directors of each company, or by some person authorized by a majority of each board to execute it. The act further requires that the certificate of the fact of such consolidation, signed by the President of each company, shall be deposited with the Secretary of State.

The only evidence I have before me, that these several proceedings were had in accordance with this statute, is a certificate of the fact of such consolidation, filed in the office of the Secretary of State, signed by Wm. B. Ogden, as President of both companies, and by N. K. Wheeler, as Vice President of the Wisconsin and Superior Railroad Company. This certificate seems to be the only evidence of such consolidation contemplated by the law, for it requires the Secretary of State, upon the filing of such certificate, to issue *his* certificate, that the companies *are* consolidated, and makes this certificate evidence of the fact of consolidation in all courts whatsoever.

It has been urged that the certificate is invalid, because it was executed by the Vice President instead of the President. I cannot attach any weight to this objection. There are certain duties attached by the charter to the office of President of the company. The act of consolidation added a new one. The charter provides that the Vice President may "discharge the duties of the President" in his absence. What reason exists for denying the Vice President power in this case, more than any other? It is said, because it is a duty especially required of him. But so are some other duties, which are likewise delegated to the Vice President. The object of the statute was, to have evidence of the fact of consolidation, under the authority of the presiding officer of the Company. This has been accomplished by the statute in this case.

I have before me what purports to be a copy of a mortgage executed by the President and Treasurer of these companies to certain Trustees, to secure the payments of bonds issued and to be issued by the company, to an amount not exceeding twelve millions of dollars, and conveying all the railroad and entire property of the company, and "all the rights, title, interest, claim or demand," which the company had, or should hereafter acquire, in or to one million of acres of public lands of the United States, being a portion of the lands granted to the State of Wisconsin under the act of Congress I have cited.

Also, what purports to be a copy of the resolutions of the Board of Directors of that company after the consolidation, directing the execution and delivery of the mortgage, and containing ample authority for that purpose.

This mortgage directs the trustees, upon a failure to pay the interest of the bonds, for three months, and in the event that they have no money under their control, for the payment of it, and upon the request of the holders of \$250,000 in amount of said bonds, to enter upon and take possession, or if already in possession, to sell all the property conveyed by the mortgage, and dispose of the same in the manner pointed out by the act.

I am informed, but have no evidence of the fact before me, that after the execution of this mortgage, there was a default in the payment of interest, for more than three months, and that at the request of the holders of the required amount of the bonds, the trustees entered upon the possession of the railroad and property, conveyed and sold the same at public sale to the highest bidder, and that after such purchase, the owners of the road and its property, and franchises under such purchase, organized a new company, under the provisions of the act of 1856, (sec. 33, of chap. 76, of the Revised Statutes,) under the name of the "Chicago and North Western Railway Company."

Whether this last named company is the legal successor of the Wisconsin and Superior Railroad Company, and, as such, entitled to the same franchises, privileges and rights conferred upon the latter, depends, in my opinion, entirely upon the questions, whether the several proceedings of the trustees under the mortgage, in taking possession and selling and the proceedings of the purchasers under the sale in organizing the new company were regular, or otherwise.

Assuming that they were, I must answer your resolution in the affirmative, holding that the Chicago and North Western Railroad Company is the legal representative of the Wisconsin and Superior Railroad Company, and as such entitled to the rights, privileges and immunities granted and conferred upon the Wisconsin and Superior Railroad Company.

Respectfully submitted

JAMES H. HWE, *Atty Gen.*

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Smith :

Mem. No. 333, A., remonstrance of Edward Mulich and 90 others, against the division of the town of Watertown;

Accompanying bill.

By Mr. Palmer:

Mem. No. 334, A., of J. M. Colga, scrip owner in Merchants Mutual Insurance Co.;

To committee on the Judiciary.

By Mr. Keogh :

Mem. No. 335, A., of citizens of the third ward of the city of Milwaukee against the construction of horse railroads in said city:

To delegation from Milwaukee city

RESOLUTIONS INTRODUCED.

By Mr. Schmidtner:

Res. No. 130, A.,

Resolved, That the committee on Claims, and on State Affairs, be, and are hereby instructed to report to-morrow, the bill

No. 296, A.,

This bill having been referred to those committees, three weeks ago;

Which lies over.

By Mr. Neville:

Res. No. 731, A.,

Resolved, That the committee on Federal Relations, to whom was referred Assembly bill 553, be, and the same is hereby required to report thereon to-morrow morning;

Which lies over.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Wiley:

No. 583, A., a bill for an act to organize Shawanaw county for judicial purposes;

To select committee composed of Messrs. Wiley, Bouck and Goodwin.

By Mr. Judd:

No. 584, A., a bill for an act to extend the time for the collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;

On motion of Mr. Judd,

The rules were suspended, and

No. 584, A.,

Was read a third time, and passed, and the title agreed to.

By Mr. Holton:

No. 585, A., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

To committee on Education.

By Mr. Meigs:

No 586, A., a bill for an act to vacate certain territory in the village of Avoca, in the county of Iowa;

To committee on Town and County Organization.

By Mr. Holton:

No. 587, A., a bill for an act proposing an amendment to the Constitution of the State of Wisconsin;

To committee of the Whole.

By Mr. Neville:

No. 588, A., a bill for an act to cede jurisdiction to the United States over certain territory in the State of Wisconsin, for the erection of a light house on Green Island, in Green Bay;

To committee of the Whole.

REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly without amendment and recommend that they do severally pass, viz:

No. 546, A., a bill for an act to repeal sections 12 and 13, of chapter 47, of the General Laws of 1857, entitled "an act to change the name of certain persons therein named;"

No. 23, S., a bill for an act concerning judgments in certain cases.

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills and find them correctly engrossed:

No. 380, A., a bill for an act prescribing the place of filing chattel mortgages on certain classes of property;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 418, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

No. 470, A., a bill for an act to organize the county of Ashland;

No. 571, A., a bill for an act providing for a lien for labor and service upon logs an lumber, in certain counties.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed, under rule 48:

Joint Res. No. 20, A., joint resolutions on the subject of slavery and colonization;

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200.

M. HOWLAND, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the further consideration thereof be indefinitely postponed (Mr. Ordway dissenting as to bill No. 197, S.,) viz:

No. 197, S., a bill for an act to amend chap. 22, of the Gen. Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 228; S., a bill for an act to amend section 12, of chapter 111, of the Revised Statutes, entitled "of divorce."

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute for each of said bills, and recommend the passage of the substitutes respectively, viz:

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

No. 292, A., a bill for an act to provide for the payment of mechanics and laborers employed on railroads and canals, and other public works;

No. 330, A., a bill for an act to amend section 11, of chapter 188, of the Revised Statutes, entitled "of the State prison;"

AMASA COBB, *Ch'n.*

The substitute to

No. 81, A.,

Was ordered to be printed.

No. 330, A.,

Was referred to committee on Claims.

The Judiciary committee to whom was referred

No. 536, A.,

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

DAVID S. ORDWAY.

The committee on the Judiciary to whom was referred

No. 199, S., a bill for an act to amend chapter 151, of the

the Revised Statutes, entitled of forcible entry and unlawful detainer;

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the same be indefinitely postponed.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend that the amendments made to such bills, respectively, by the honorable the Senate, be not concurred in, viz:

No. 87, A., a bill for an act in relation to the abatement and revivor of suits;

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others."

AMASA COBB, *Ch'n.*

The amendments to said bills were severally non-concurred in.

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration and have instructed me to report the same back to the Assembly with amendments, and recommend the passage thereof, respectively, as amended, Messrs. Bouck and Palmer dissenting from this report as to bill No. 84, S., viz:

No. 513, A., a bill for an act to provide for the holding of a separate election poll in such towns in this State as comprise two or more Assembly districts;

No. 34, S., a bill for an act to authorize the service of process by publication, in certain cases.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred Mem. No. 308, A., petition of David Taylor and other electors of Sheboygan county, to amend chapter 184, of the Revised Statutes;

And

No. 493, A., a bill for an act to amend chapter 184, of the Revised statutes, entitled "inquests of the dead;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the bill pass.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 442, A., a bill for an act to amend chapter 188, of the Revised Statutes, entitled "of the limitation of actions;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to which was referred account

No. 83, A., of John Bonson;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the owner have leave to withdraw the same.—Your committee being of the opinion that section 79, of chapter 133, of the Revised Statutes, applies only to such witnesses as are subpoenaed by the Attorney General as provided in section 78, of the same chapter; and your committee being informed that said account is for travel and attendance as a witness on the part of the State, in obedience to the direction of the District Attorney of LaFayette county.

AMASA COBB, *Ch'n.*

Leave to withdraw account

No. 83, A.,

Was granted.

The committee upon Medical Societies and Colleges, to which was referred

No. 415, A., a bill for an act to incorporate the La Crosse medical college;

Have had the same under consideration, and instructed me to report the same back to the Assembly with the recommendation that the same be indefinitely postponed.

WM. W. BLACKMAN, *Ch'n.*

The committee on Incorporations to whom was referred the following memorials, have had the same under consideration, and have instructed me to report them severally back to the Assembly, and recommend that the further consideration of the same be indefinitely postponed:

Memorials No's. 254, 255, and 256, A., being petitions for the repeal of the charter, incorporating the village of Menasha;

Mem. No. 250, A., being petition of A. P. Lyman, and others, for a change in the boundaries of the city of Sheboygan.

ROMANZO BUNN, *Ch'n.*

The committee on Claims, to whom was referred

No. 55, S., a bill for an act to establish an official State paper;

Have had the said bill under consideration, and report it back with the recommendation that it do pass.

HEBER SMITH, *Ch'n.*

The committee on Incorporations, to whom was referred

No. 192, S., an act to incorporate the Mississippi Bottom Plankroad and Ferry Company;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, without amendment and recommend its passage.

C. MILLER, *Ch'n.*

The committee on Enrolled bills report that they have examined the following bills and find the same correctly enrolled:

No. 342, A., an act to authorize the City of Portage to maintain a levee;

No. 335, A., a bill for an act to enable the corporation of the village of Sparta to construct side-walks, and otherwise improve the streets of said village.

C. MILLER, *Ch'n.*

Said bill were signed by the Speaker.

The committee on the Judiciary to whom was referred

No. 554, A., a bill for an act to provide for the construction of a channel for the surplus water of Lake Winnebago;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The joint committee on Enrolled Bills, report that on the 19th inst., they presented to the Governor, for his approval, the following bills and memorials, viz:

No. 119, S., a bill for an act to authorize John D. Trumble to keep and maintain a ferry across Lake Pepin in the county of Pierce;

No. 113, S., a bill for an act to authorize the Secretary of State to credit certain money to the county of Green Lake;

No. 128, S., a bill for an act to define the boundary line between the counties of Green Lake and Marquette;

No. 135, S., a bill for an act to amend the charter of the Kenosha, Rockford and Rock Island Railroad Co.;

No. 196, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$833;

No. 206, S., a bill for an act to authorize the Bank of Watertown to reduce its capital stock;

No. 276, S., a bill for an act to amend the several acts relative to the charter of the city of Watertown;

Mem. No. 3, S., memorial to Congress for a mail route from the city of Hudson, in St. Croix county, via St. Joseph, Apple River Bridge, Ceylon, Erin Prairie, Boardman and Hammond to Warren;

Mem. No. 4, S., memorial to the Post Office Department relating to increase of service on mail route 13,069.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in Assembly amendments to

No. 273, S., a bill for an act regulating railroads;

No. 274, S., a bill for an act exempting certain property from taxation;

No. 147, S., a bill for an act to amend an act entitled an act to consolidate and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereto;

No. 222, S., a bill for an act relating to the public school in the city of Oshkosh.

I am further directed to inform you that the Senate refuses to recede from its amendments to

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to present to you for signature,

No. 179, S., a bill for an act to reduce the capital stock of the Clark County Bank.

I am further directed to inform you that the Senate has concurred in passage of

No. 385, A., a bill for an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chipewa river, in said county;

No. 498, A., a bill for an act conferring certain powers upon the board of supervisors of the county of Green Lake;

No. 548, A., a bill for an act to repeal an act conferring civil

jurisdiction upon the county court of Monroe county, approved March 11, 1859;

No. 561, A., a bill for an act to extend the time for publication and sale of unredeemed lands in the counties of Eau Claire and Chippewa;

No. 574, A., a bill for an act to amend an act entitled "an act to incorporate the city of Ripon," approved March 20, 1858;

No. 549, A., a bill for an act to authorize the trustees of the village of Sparta, to renew the warrants for the collection of unpaid taxes of said village;

No. 443, A., a bill for an act to incorporate the Mequon Farmer's Mutual Insurance Company;

No. 253, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes."

And further that the Senate has passed and asks the concurrence of the Assembly in

No. 325, S., a bill for an act to amend "an act in relation to the public schools in the city of Watertown," and to repeal the act amendatory thereof;

No. 237, S., a bill for an act to annex a part of the county of Chippewa to the county of Dallas;

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 320, S., a bill for an act to provide for the disposal and expenditure of the drainage fund in the counties of Kewaunee and Door;

No. 202, S., a bill for an act concerning a bridge pier at Kewaunee;

No. 240, S., a bill for an act to organize the county of Door for judicial purposes.

On motion of Mr. Phillips,

No. 532, a bill for an act to lay out a State road from Wausau to the State line, north, and to make an appropriation therefor;

Was taken from the general file, and

Recommitted to the committee on Swamp and Overflowed Lands.

THE SPECIAL ORDER,

No. 116, A., a bill for an act to authorize the Governor to appoint a commissioner of foreign emigrants;

Being under consideration, and

The question being on the indefinite postponement of said bill,

Mr. Bunn moved the previous question,

Which was seconded;

And the question being "shall the main question be now put?"

The previous question was ordered; and

No. 116, A., was indefinitely postponed;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Ballantine, Barnum, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cole, Dickson, Fischer, Golden, Green, Griswold, Grover, Hayden, Holton, Horton, Hunkins, Jackson, Johnson, Kiefer, Langland, Lewis, Mackay, Meigs, Miller, Mitchell, Moore, Munn, Nash, Ordway, Ruan, Seaton, Simpson, Spottswood, Sumner, Sutton, Upson, VanderCook, Westby, Wescott, Wheeler, Whiting, Wiley, Wood and Young—55.

Those who voted in the negative were

Messrs. Altenhofen, Bachuber, Bartlett, Cobb, Coles, Elmore, Fairchild, Goodwin, Hartung, Horn, Howland, Humann, Judd, Keogh, Kingsbury, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Schmidtner, Smith, Stannard, Weage, Whittlesey, Winter and Mr. Speaker—28.

SPECIAL ORDER.

No. 11, S., a bill for an act to amend chapter 167, of the General of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled 'of the assessment and collection of taxes;'"

And

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes, and the acts amendatory thereto;"

Being under consideration,

On motion of Mr. Judd,

The Assembly resolved itself into

COMMITTEE OF THE WHOLE,

On No's. 11, S., and 412, A.;

Mr. Goodwin in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration No's. 11, S., and 412, A., and reported the same back with a substitute for No. 412, A., and recommend the adoption of the substitute.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

No. 412, A.,

Being under consideration, and the question being upon the adoption of the substitute,

Mr. Bouck moved to amend by striking out subdivision 3, of section 4, of the substitute, and insert,

“To each person, company or corporation, personal property of any description, not exceeding in value two hundred dollars;”

Which was agreed to.

Mr. Neville moved a call of the house,

Which was sustained.

The roll was called, and the following named gentlemen were found to be absent without leave.

Messrs. Farwell, Fischer, Hammarquist, Hayden, Holton and Horn.

The Sergeant-at-Arms proceeded to summon the absentees.

Mr. Bovay moved to dispense with further proceedings under the call,

Which was disagreed to.

Mr. Bartlett moved to adjourn,

Which was disagreed to.

Mr. Bartlett moved to dispense with further proceedings under the call,

Which was disagreed to.

REPORT OF THE SERGEANT-AT-ARMS:

Messrs. Green, Horn and Hayden in their seats.

Messrs. Farwell, Fischer, Holton and Hammarquist cannot be found.

JOS. GATES, *Seg't at-Arms*:

On motion of Mr. Judd,

Further proceedings under the call were dispensed with.

On motion of Mr. Munn,

The Assembly adjourned until 7 o'clock, P. M.

7 o'clock, P. M.

The Speaker called the Assembly to order.

On motion of Mr. Bartlett;

The rules were suspended, and

No. 207, S., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

Was referred to committee on Education.

Mr. Young moved that the Assembly take a recess for fifteen minutes;

Which was agreed to.

7 1-4 o'clock, P. M.

Mr. Child asked leave of absence for Mr. Hammarquist for two days;

Leave was granted.

On leave,

Mr. Sumner introduced

Mem. No. 336, A., of N. B. Grover and others for a repeal of a charter for a ferry across the Mississippi river;

Also, bill

No 589, S., a bill for an act to repeal chapter 268, of the Private Laws of 1856, entitled "an act granting the right to keep and maintain a ferry across the Mississippi river in Buffalo county;

Which was read first and second times;

And referred, with

Mem. No 336, A.,

To committee on Roads, Bridges and Ferries.

On motion of Mr. Bouck,

THE SPECIAL ORDER.

No. 412, A., and No. 11, S.

Was postponed until 8 o'clock, for the purpose of proceeding with the regular order of business.

REPORT.

The select committee to whom was referred

No. 583, A., a bill for an act to organize Shawano county for judicial purposes;

Respectfully report the same back to the House with a substitute, and recommend the passage of the substitute.

JOHN WILEY,

GEO. B. GOODWIN.

In my opinion, the said bill is in due form of law.

GAB. BOUCK.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, March 20, 1860.

To the Honorable the Assembly:

I enclose herewith a copy of the preamble and resolution adopted by the directors of the La Crosse and Milwaukee Railroad Company, May 31st, 1858, referred to in my special message of the 14th inst., and completing the series of communications relative to that company and the land grant.

ALEX. W. RANDALL.

(COPY.)

Whereas, By an act of Congress, approved June 8d, A. D. 1856, certain lands were granted to the State of Wisconsin for the purpose of aiding the construction of certain railroads in said State:

And whereas, Said grant was accepted by said State, and by an act of the Legislature thereof, approved Oct. 11th, A. D. 1856, a portion of said lands were granted to the La Crosse and Milwaukee Railroad Company, upon certain conditions, which grant was accepted by said company, and the construction of certain lines of railroad were undertaken by said company, in accordance with the conditions of the grant:

And Whereas, The act of the Legislature, among other things, provides "that the title to said lands shall vest in the said La Crosse and Milwaukee Railroad Company in the manner following, that is to say: whenever twenty continuous miles of said road shall have been completed, so as to admit of running regular trains upon the same, the Governor of this State shall certify to the Secretary of the Interior the fact that such twenty continuous miles are completed as aforesaid, then the title to two hundred and forty sections of said land shall vest in the La Crosse and Milwaukee Railroad Company, and when a second continuous twenty miles shall have been completed, so as to admit of running regular trains on the same,

the Governor shall certify as before, and thereupon a further quantity of one hundred and twenty sections shall vest in said company, and so, from time to time, until said roads are completed; and it shall be the duty of the Governor so to certify to the Secretary of the Interior whenever any such twenty miles shall have been completed so as to admit of running regular trains of cars over the same. And the Governor of the State shall, in his official capacity, and in behalf of the State, and under the great seal thereof, execute and deliver to the La Crosse and Milwaukee Railroad Company, whenever it shall, by virtue of the provisions of this charter, be entitled to any of said lands, a deed in fee simple of any and all of the lands to which said company shall be entitled."

And whereas, The said La Crosse and Milwaukee Railroad Company have in pursuance of the provisions of said act completed and are now running trains over more than sixty miles of said land grant railroad:

And whereas, The Governor of the State has certified to the Secretary of the Interior the completion of forty miles of said road and no more:

Resolved, That the President of this company be requested to confer with the Governor of this State on the subject, and request him to issue to the Secretary of the Interior a certificate of the completion of the third twenty miles of said road: and also to request him to deliver a deed of all the lands to which said company are entitled under the provisions of said act.

On motion of Mr. Smith,

The rules were suspended, and

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

Was referred to the Jefferson county delegation.

SENATE MESSAGE TAKEN UP.

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled "of notaries public;"

No. 177, S., a bill for act to establish a highway therein described;

No. 209, S., a bill for an act to amend section 106, of chapter 28, of the Revised Statutes, entitled of the school and university lands;

No. 215, S., a bill for an act to appropriate to James M. Maughs \$25;

No. 272, S., a bill for an act to provide for the holding of the annual school meeting in school district No. 4, of the town of East Troy;

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

No. 268, S., a bill for an act to appropriate to Wm. Edgar the sum of \$15 25;

No. 265, S., a bill for an act to appropriate to S. S. Keyes the sum of \$23;

No. 296, S., a bill for an act to appropriate to Rufus Parks the sum of \$40;

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$68;

No. 306, S., a bill for an act to appropriate to Thomas Gill the sum of \$30;

No. 307, S., a bill for act to appropriate to Thos. Knudson the sum of \$38;

No. 308, A., a bill for an act to appropriate to Wm. J. Gill the sum of \$42.

No. 309, S., a bill for an act to appropriate to Francis Henwood the sum of \$30;

No. 310, S., a bill for an act to appropriate to Wm. Hawley the sum of \$42;

No. 202, S., a bill for an act concerning a bridge pier at Kewaunee;

No. 237, S., a bill for an act to annex a part of the county of Chippewa to the county of Dallas;

No. 240, S., a bill for an act to organize the county of Door for judicial purposes.

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 320, S., a bill for an act to provide for the disposal and expenditure of the drainage fund in the counties of Kewaunee and Door;

No. 325, S., a bill for an act to amend an act in relation to public schools in the city of Watertown, and to repeal the act amendatory thereof;

And

J. Res. No. 6, S.,

Relative to riots at Harper's Ferry;

Were read first and second times,

And placed on the general file.

The following bills were read first and second times, and referred:

No. 120, S., a bill for an act relative to proceedings in county courts in certain cases;

To the committee on the Judiciary.

No. 269, S., a bill for an act to provide for the issuing a patent of certain lands to Michael Gleiter;

To the Jefferson county delegation.

No. 818, S., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvements and to repeal section 4, of subdivision 6, chapter 138, of the Private and Local Laws of 1857, entitled "an act to consolidate and amend the act to incorporate the city of Kenosha and the several acts amendatory thereof;"

To the Kenosha county delegation.

No. 824, S., a bill for an act to amend sec. 79, of chap. 133, of the Revised Statutes ;

To committee on the Judiciary.

The Assembly insisted upon its non-concurrence in the Senate amendments to

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county ;

And asks a committee of conference;

The Speaker appointed Messrs. Bouck, Barnum and Goodwin as said committee on the part of the Assembly.

On motion of Mr. Goodwin,

The rules were suspended, and

No. 580, A., a bill for an act to authorize the village of Menasha to aid in the construction of railroads ;

Was taken from the general file ;

Read a third time and passed,

And the title agreed to.

BILLS ON THEIR THIRD READING.

No. 167, S., a bill for an act concerning bills of exchange and promissory notes ;

And,

No. 218, S., a bill for an act to amend chap. 104, of the Private and Local Laws of 1858, relating to a certain State road therein named ;

Were read third time and concurred in.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time, and passed:

No. 237, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute ;

No. 302, A., a bill for an act to vacate certain lots of the "Town of the Island," in Winnebago county ;

No. 380, A., a bill for an act prescribing the place of filing chattel mortgages on certain classes of property ;

No. 470, A., a bill for an act to organize the county of Ashland ;

No. 534, A., a bill for an act to amend chap. 9, of the Revised Statutes, entitled "of the Legislature," and also "acts of a general nature of 1858," incorporated therein ;

And,

No. 571, A., a bill for an act providing for a lien for labor and service upon logs and lumber in certain counties.

REPORTS.

The committee on Claims to whom was referred accounts

No. 81, A., the account of William F. Porter, for rent of offices for use of State;

No. 82, A., the account of E. G. Garner, for lightning rod for use of State;

Have had said accounts under consideration, and report them back by bills,

No. 590, A., a bill for an act to appropriate to William F. Porter the sum of \$78,75;

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50,25;

And recommend the passage of said bills.

Also, bill

No. 527, A., a bill for an act to appropriate to Francis W. Newland, the sum of \$422 50;

Have considered said bill and report it back with an amendment and recommend its passage as amended;

Also,

No. 570, A., a bill for an act for the relief of Loren Peterson;

Have had the said bill under consideration, and report it back and recommend its passage;

Also,

No. 578, A., a bill for an act for the relief of John Bender;

And recommend its reference to committee on State Lands.

Also,

No. 296, A., a bill for an act to authorize the Governor to appoint an Executive Building Committee, and to define their duties;

Have had the same under consideration, and report it back and recommend its indefinite postponement.

HEBER SMITH, *Ch'n.*

Bills Nos. 590, and 591, A.,

Were read twice and placed in the general file.

No. 578, A.,

Was referred to the committee on Education.

A majority of the committee on Swamp and Overflowed Lands, to whom was referred

No. 532, A., a bill for an act to lay out a State road from Wausau, to the State line north, and to make an appropriation therefor ;

With substitute, and

Mem. No. 37, A.,

Referring to the same:

Have had the same under consideration, and report amendments to the substitute, and recommend its passage when so amended.

A. WHITTLESEY, *Ch'n.*

The joint committee on Enrolled Bills report that they presented to the Governor, for his approval, on the 20th inst., the following bills:

No. 342, A., an act to authorize the city of Portage to maintain a levee:

No. 335, A., a bill for an act to enable the corporation of the village of Sparta so construct sidewalks, and otherwise improve the streets of said village.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 254, S., a bill for an act to create the town of Forsyth and to amend chapter 330, of the Private and Local Laws of 1857, incorporating the city of Berlin.

I am further directed to inform you that the Senate has concurred in the passage of

No. 180, A., a bill for an act to amend section 1, of chapter 178, of the General Laws of 1859, entitled an act establishing the fees for the publication of the sale of forfeited lands.

THE SPECIAL ORDER,

No. 412, A.,

Being under consideration,

And the question being on the adoption of the substitute to said bill,

The ayes and noes were called and ordered,

And the substitute was lost, by the following vote:

Those who voted in the affirmative, were
Messrs. Ahlhauser, Althofen, Bachuber, Barnum, Bouck,
Bow, Cole, Coles, Dockry, Fairchild, Farwell, Goodwin, Green,
Griswold, Hartung, Hesk, Humann, Hunkins, Jackson, Judd,
Keogh, Kingsbury, Mackay, Meigs, Miller, Mulholland, Munn,
Nash, Neville, Ordway, Palmer, Rankin, Schmidtner, Simpson,
Stannard, Sumner, Sutton, Wiley, Winter, Wood and Mr.
Speaker—41.

Those who voted in the negative were
Messrs. Ballantine, Bartlett, Bettis, Beath, Blackman, Boy,
Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb,
Dickson, Elmore, Hayden, Holton, Howland, Johnson, Kiefer,
Langland, Lewis, Mitchell, Moore, Patchin, Phillips, Robert-
son, Rogers, Ruan, Seaton, Smith, Spottswood, Upson, Van-
Cook, Weage, Westby, Wescott, Wheeler, Whittlesey,
Whiting and Young—42.

Mr. Boyd moved that the Assembly resolve itself into the
committee of the Whole on 412, A.

Mr. Judd moved to amend by striking out "No. 412 A,"
and inserting "No. 11, S;"

Upon which motion,

The yeas and noes were called for and ordered,
and the motion to amend was lost by the following vote:

Those who voted in the affirmative, were
Messrs. Ballantine, Bartlett, Blackman, Bugh, Bunn, Child,
Dickson, Farwell, Fischer, Goodwin, Holton, Horton,
Howland, Johnson, Judd, Langland, Lewis, Meigs, Miller,
Mitchell, Moore, Nash, Rogers, Seaton, Smith, Spottswood,
Sumner, Upson, VanderCook, Weage, Westby, Westcott,
Whittlesey, Wiley Wood and Mr. Speaker—38.

Those who voted in the negative, were
Messrs. Ahlhauser, Althofen, Bachuber, Barnum, Bettis,
Beath, Bouck, Bovay, Bow, Boyd, Brooks, Burt, Cole,
Coles, Dockry, Elmore, Fairchild, Green, Griswold, Hartung,
Hesk, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbu-
Mackay, Mulholland, Munn, Neville, Ordway, Palmer,
Patchin, Phillips, Rankin, Robertson, Ruan, Schmidtner,
Upson, Stannard, Sutton, Whiting, Winter and Young—45.
Mr. Hayden moved to reconsider the vote by which the As-
sembly refused to adopt the substitute for
No. 412, A.

Mr. Young moved to lay the motion to reconsider on the

table;
Mr. Dickson moved a call of the house;
which was sustained.

The roll was called, and the following named gentlemen were absent without leave:

Messrs. Clise, Golden, Grover and Horn.

On motion of Mr. Boyd,

Further proceedings under the call were dispensed with.

The question occurring on Mr. Young's motion,

The ayes and noes were called for and ordered,

And the Assembly refused to lay the motion to reconsider on the table, by the following vote:

Those who voted in the affirmative were

Messrs. Ballantine, Bartlett, Bettis, Beath, Blackman, Boy, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Dickson, Elmore, Fischer, Holton, Horton, Howland, Johnson, Langland, Lewis, Moore, Nash, Patchin, Phillips, Robertson, Rogers, Seaton, Spottswood, Upson, VanderCook, Weage, Westby, Wheeler, Whiting and Young—88.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Farwell, Goodwin, Green, Griswold, Hartung, Hayden, Hesk, Horn, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Miller, Mitchell, Mulholland, Munn, Neville, Ordway, Palmer, Rankin, Ruan, Schmidtner, Simpson, Smith, Sumner, Westcott, Whittlesey, Wiley, Winter, Wood and Mr. Speaker—46.

On motion of Mr. Elmore,

The Assembly adjourned.

WEDNESDAY, March 21, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Walter officiated as chaplain.

On motion of Mr. Sutton,

The reading of the journal was dispensed with.

Messrs. Wiley and McKay were granted leave of absence for an indefinite time.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Burt:

Mem. No. 337, A., remonstrance of J. F. Heazlit and 83 others, against removal of county seat of Green Lake Co.;
To committee on Town and County Organization.

And,

Mem. No. 338, A., remonstrance of W. A. Bugh and 47 others, against removal of county seat of Green Lake Co.;
To committee on Town and County Organization.

By Mr. Palmer:

Mem. No. 339, A., of Buffalo Mutual Insurance company, for relief;

And,

Mem. No. 340, A., of John G. Inbush and others for relief,

And

Mem. No. 341; of L. G. Fischer & Co., for relief;

And

Mem. No. 342, A., of N. W. Dean, for relief;

Which were severally referred to the committee on the Judiciary.

By Mr. Holton:

Mem. No. 343, A., of A. R. R. Butler and others, asking for the passage of county court bill;

To the Milwaukee delegation.

By Mr. Cobb:

Mem. No. 344, A., of John Bracken, for means to assist in exploring the lower magnesian limestone in the mineral regions of this State;

To select committee on Geological Surveys.

By Mr. Elmore:

Mem. No. 345, A., of John McClane and others, for a change of the name of Frank Pigle to Frank McClane, &c.;
To committee on Judiciary.

ACCOUNT.

Presented and referred to committee on Claims:

By Mr. Fairchild:

No. 85, the account of C. M. Marvin.

RESOLUTIONS INTRODUCED.

By Mr. Holton:

Res. 132, A.,

Resolved, That the use of this hall be extended to the Hon. A. D. Smith, for the purpose of delivering an address upon the subject "of the rights of the States," on Thursday evening;

Which being of a privileged character,

The question was taken;

And the resolution was adopted by the following vote:

Those who voted in the affirmative, were

Messrs. Barnum, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Dickson, Farwell, Fischer, Golden, Goodwin, Green, Holton, Horton, Judd, Langland, Lewis, Meigs, Miller, Mitchell, Moore, Nash, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Ruan, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, and Mr. Speaker—48.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Beath, Bouck, Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Griswold, Grover, Hammarquist, Hartung, Hesk, Horn, Howland, Humann, Hunkins, Jackson, Johnson, Keogh, Kiefer, Kingsbury, Mackay, Mulholland, Munn, Neville, Rankin, Schmidtner, Seaton, Simpson, Smith, Wheeler, Winter and Young—39.

RESOLUTIONS CONSIDERED.

Res. No. 130, A.,

Instructing committee on Claims and State Affairs to report bill

No. 296, A.,

Introduced by Mr. Schmidtner yesterday,

Was laid on the table.

Res. No. 131, A.,

Instructing committee on Federal Relations to report bill

No. 553, A.,

Introduced by Mr. Neville yesterday,

Was laid on the table.

NOTICE.

By Mr. Horn:

I give notice that on to-morrow, I shall move to have the rules so amended that no bill or joint resolution shall be printed for the balance of the session, unless otherwise ordered by

ing of bills introduced to-day

ervation of fish in the coun-
ad the printing of the same

first and second times,

l section 2, of chapter
858, entitled "an act
Local Laws of 1857,
Appleton;" "

agreed to.

the disposal of

16, of chap-
eral and spe-

ects in the

special

upaca

By Mr. Fairchild:

No. 598, A., a bill for an act to permit [the Clark County Bank to reduce its capital stock;

To committee on Banks and Banking.

By Mr. Elmore:

No. 599, A., a bill for an act to amend section 2, of chapter 118, of the Revised Statutes, entitled "grand and petit jurors;"

To committee of the Whole.

REPORTS OF COMMITTEES.

The committee on Federal Relations, to whom was referred No. 553, A., entitled a "bill for an act for the rendition of fugitives from labor,"

Have had the same under consideration, and herewith report it back to the Assembly (Messrs. Boyd and Mulholland dissenting) that said bill do lie on the table.

The committee beg leave to state, respectively and briefly, that the principal reason for this recommendation is that the provisions of said bill recognize the doctrine of "property in man," which provision and sentiments we consider contrary to the true construction of, and repugnant to the constitution of the United States and of this State.

W. P. BARTLETT, *Ch'n.*

The minority of the committee to whom was referred No. 553, A., a bill for an "act for the rendition of fugitives from labor,"

Are aware that the Supreme Court of this State holds that fugitive slaves should be delivered up under a State law, instead of a law enacted by Congress, in order to carry out the requirements of subdivision 3, of section 2, of article 4 of the Constitution of the United States, which reads as follows: "No person held to service in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due."

And that Justice A. D. Smith, in his opinion in the case of Booth (See 2 Wis. Rep., page 37) holds and alleges, "That it is the duty of the respective States to make laws and regulations for the faithful observance of this compact," and the minority of your committee respectfully quote upon the subject the following extracts from the opinion of Justice A. D. Smith, in the matter of the petition of Sherman M. Booth, for a writ

of *habeas corpus*, and to be discharged from imprisonment (see *in re Sherman M. Booth*, 2 Wis. Rep., on pages 16, 17, 18, 34, 35 and 37.) "Let it be taken for granted that this clause was intended to refer exclusively to fugitive slaves, of which I think the history of its adoption into the Constitution leaves no doubt; the question at once arises, how far, and in what particular, does it affect the persons alluded to in it? First, it contemplates the fact, that certain persons were, or might be held to service or labor, in one or more States, under the laws thereof. Second, that it was by the laws of such State or States alone, under which such persons could be held to service or labor. Third, that the laws or regulations of the respective States, under which such persons might be held to service or labor, or discharged therefrom, might be different. Fourth, that such persons might escape from one State, in which they were held to labor under the laws thereof, into another State, in which such persons were held to labor under different laws, or in which they were, by the laws of the State, discharged from service or labor. Fifth, that the service or labor here spoken of, is of a kind which is exacted of such persons by law, and not of a kind stipulated for by contract, and hence is in restraint of, and derogatory to human liberty. Sixth, that such 'persons escaping from one State into another,' should not be discharged by the laws of the State to which they may have fled, but that the condition of the fugitive should remain the same in the State from which he had fled, in case the person to whom he owed the service should choose to claim him and convey him thither. Seventh, that in the event of a claim by the person to whom the fugitive owed the service under the laws of the State from which he fled, being made, he should be delivered up, on establishing the fact that the labor, or service of the fugitive was due to such claimant.

"It is apparent, therefore, that the fugitive slave leaves his condition of slavery behind him, and takes with him into this State only the dread contingency of the assertion of the claim of the person from whose service he has escaped, upon the establishment of which he may be reduced to his former condition in the State from which he fled." * * * After quoting the clause in the constitution of the United States, which is cited above, he goes on to state:

"Here is the whole of the section, without one word of grant, or one word from which a grant, may be inferred or implied.

Congress has the same power to legislate in regard to fugitives from justice or labor. But it may be asked, how are the rights here stipulated and guaranteed to be enforced? I answer, that every State officer, executive, legislative and judi-

cial, who takes an oath to support the constitution of the United States, is bound to provide for, and aid in their enforcement, according to the true intent and meaning of the constitution.— But what, if one or more States should refuse to perform their duty, and its officers violate their oaths, and repudiate the compact? This question is answered by asking another. What if Congress should declare a single violation of one of its laws, treason, and that a conviction thereof should work corruption of blood, and forfeiture of estate beyond the life of the person attainted, and the judicial department should pronounce it valid, and the executive attempt to enforce it? The simple answer is, that when the State and federal officers become so regardless of their oaths and obligations as either question implies, anarchy or revolution, or both, must supervene, for the government would be a willful departure from the fundamental law of its organization, and the people would be absolved from their allegiance to it.

I do not say, that every minor, or unintentional departure from the constitution must work "such disastrous results."

"To my mind therefore it is apparent, that" Congress has no power to legislate on this subject. It is equally apparent, that the several States can pass no laws, nor adopt any regulations, by which the fugitive may be discharged from service. All such laws and regulations must be declared void whenever they are brought to the test of judicial scrutiny, state or national. It is equally apparent, that it is the duty of the respective States, to make laws and regulations for the faithful observance of this compact. They have generally done so, and doubtless would have continued so to do, but for the decision of the United States Supreme Court, in the case of *Riggs vs. Commonwealth of Pennsylvania*. "It is still their duty so to do."

The minority of your committee, not agreeing with the opinion of Justice Smith on this subject, feel no hesitation in reporting on this bill, but are constrained to express their surprise at the report of majority of the committee representing, as they do a party that endorses the decision of Justice Smith, and makes a concurrence with that opinion, a test of the fitness for office of their judicial candidates.

The minority of your committee, therefore, from the fact, that since the enacting of the first fugitive slave law by Congress in 1793, up to the present time, this provision of the constitution has been enforced under a law of the United States, and that there is now such a law providing an adequate remedy for enforcing this provision of the constitution of the United States, the minority of your committee are of the opinion, that

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the further consideration of the bill should be indefinitely postponed.

JOHN BOYD,
HENRY MULHOLLAND,
Minority of Committee on Federal Relations.

The committee on the Judiciary, to whom was referred Mem. No. 324, A., of Henry J. Nazro & Co., and others, owners of scrip of the Merchant's Mutual Insurance Company, for relief, and several other memorials on the same subject;

Have had the same under consideration and have instructed me to report thereon by bill

No. 600, A., a bill for an act to amend an act entitled "an act to incorporate the Merchants' Mutual Insurance Company, of Milwaukee," and the acts amendatory thereof;

And recommend the passage of the bill.

DAVID S. ORDWAY, *Ch'n.*

The committee on Incorporations, to whom was referred No. 477, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

Have had the same under consideration, and have instructed me to report the same back the Assembly without amendment, and recommend its passage.

R. BUNN, *Ch'n.*

The committee on Incorporations, to whom was referred bill No. 542, A., a bill for an act to provide for the incorporation of fire companies;

Have had the same under consideration, and have instructed me to report the said bill back to the Assembly and recommend that said bill be indefinitely postponed.

ROMANZO BUNN, *Ch'n.*

The committee on Incorporations to whom was referred bill No. 521, A., a bill for an act to amend and consolidate an act entitled "an act to incorporate the city of Racine, approved August 8, 1848, and the several acts amendatory thereof;

With Mem. No. 332, accompanying the said bill;

Have had the same under consideration and have instructed me to report the said bill back to the Assembly with a substitute, and recommend the passage of the substitute, and ask to be discharged from the further consideration of the said memorial.

ROMANZO BUNN, *Ch'n.*

The committee on the Judiciary to whom was referred the following bills have had the same under consideration and have instructed me to report the same back to the Assembly, and recommend that the enacting clause thereof respectively be stricken out, viz:

No. 471, A., a bill for an act to repeal sections 41 and 55, of chapter 133, of the Revised Statutes entitled "costs and fees" and acts amendatory thereto;

No. 490, A., a bill for an act to amend chapter 149, of the General Laws of 1859;

And

No. 564, A., a bill for an act to adjust the boundaries of the Marquette and Green Lake Assembly District.

AMASA COBB, *Ch'n.*

The Assembly refused to strike out the enacting clause to

No. 491, A.,

Also refused to strike out the enacting clause to

No. 471, A.,

By the following vote:

Those who voted in the affirmative were

Messrs. Barnum, Bartlett, Bettis, Bouck, Bovay, Bugh, Bunn, Cobb, Goodwin, Griswold, Munn, Neville, Ordway, Palmer, Patchin, Ruan, Smith and Whittlesey—18.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Beath, Blackman, Boyd, Brooks, Burt, Child, Clise, Cole, Coles, Dockry, Elmore, Farwell, Fischer, Golden, Hartung, Hesik, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Meigs, Miller, Mitchell, Moore, Nash, Phillips, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting, Wood, Young and Mr. Speaker—60.

Mr. Judd moved to suspend the rules for the purpose of passing said bill;

Upon which motion,

The ayes and noes were called for and ordered,

And the Assembly refused to suspend the rules by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Blackman, Dockry, Farwell, Fischer, Golden, Griswold, Grover, Hesik, Horton, Howland, Human, Hunkins, Jackson, Judd, Kiefer, Langland, Lewis, Meigs, Miller, Mitchell, Moore, Mulholland, Ordway, Phillips, Rankin, Robertson, Rogers, Ruan, Schmidtner,

Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Vander Cook, Westby, Wescott, Whiting, Wood and Young—44.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Bartlett, Bettis, Beath, Bouck, Boyay, Bow, Boyd, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Elmore, Goodwin, Hartung, Hayden, Holton, Horn, Keogh, Kingsbury, Mackay, Munn, Nash, Neville, Palmer, Patchin, Senton, Simpson, Wheeler, Whittlesey, Wiley, Winter and Mr. Speaker—36.

The committee on the Judiciary, to whom was referred account

No. 61, A., the account of Mygatt & Schmidtner, for services in superintending the State prison building, in the year 1856 and 1857;

Have had the same under consideration, and have instructed me to report thereon by bill

No. 601, A., a bill to appropriate to Mygatt & Schmidtner the sum of \$200;

And recommend the passage of the bill.

AMASA COBB, *Ch'n.*

Said bill was read twice, and referred

To committee on Claims.

The committee on the Judiciary to whom was referred

No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island for the use of the State;

Have had the same under consideration, and a majority of the committee (Messrs. Bouck and Bartlett dissenting) have instructed me to report the same back to the Assembly with amendments, and recommend the passage thereof as amended.

AMASA COBB, *Ch'n.*

The committee on Banks and Banking herewith report to the Assembly,

No. 692, A., a bill for an act to reduce the capital stock of the Bank of Racine to \$25,000;

And recommend that the same do pass.

W. M. GRISWOLD, *Ch'n.*

Said bill was read twice and referred

To the general file.

The committee on Banks and Banking, to whom was referred

No. 806, A., a memorial of the North Western Bank, for a reduction of its capital stock;

Have had the same under consideration and have instructed me to report the same back, together with

No. 603, A., a bill for an act to reduce the capital stock of the North-Western Bank, to \$40,000;

And recommend the passage of the bill.

W. M. GRISWOLD, *Ch'n.*

Said bill was read twice and

Sent to general file.

The committee on Education, School and University Lands, to whom were referred

Mems. No. 126 and 260;

Have had the same under consideration, and directed me to report them back and recommend that their further consideration be indefinitely postponed.

E. D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred bill

No. 500, A., entitled a bill for an act to amend section 27, of chapter 23, of the Revised Statutes, entitled "of common schools;"

Have had the same under consideration and directed me to report it back with recommendation of indefinite postponement.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

Mems. No. 299, 300, 301 and 302, A., relating to schools in the city of Kenosha;

Together with bill

No. 487, A., entitled a bill for an act to repeal chapter 164, of the Private and Local Laws of 1859, entitled "an act to provide for the appointment of superintendent of public schools in the city of Kenosha;"

Have had the same under consideration, and report them back with the recommendation that they be referred to the Kenosha county delegation.

EDWARD D. HOLTON, *Ch'n.*

Said bill and memorials were referred to the Kenosha county delegation.

The committee on Railroads, to whom was referred

No. 178, S., a bill for an act to amend an act entitled "an act to amend chapter 299, of the Private and Local Laws for the year 1855, entitled 'an act to incorporate the Sugar River Valley Railroad Company;'"

Have had the same under consideration, and instructed me to report the said bill back to the Assembly with the recommendation that it do pass.

WM. E. WHEELER, *Ch'n.*

Said bill was read a third time, and concurred in.

The committee on State Affairs, to whom was referred

No. 405, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

Also,

No. 544, A., a bill for an act to legalize the organization and records of the lyceum of the city of Green Bay;

Have had the same under consideration, and report the same back, and recommend their passage.

L. J. FARWELL,
JOHN C. NEVILLE,
L. A. SCHMIDTNER.

The committee on Town and County Organization, to whom was referred

No. 42, S., a bill for an act to detach certain territory from the city of Racine, and to attach the same to the town of Mt. Pleasant, in the county of Racine;

Have had the same under consideration, and directed me to report the same back with the recommendation that it do pass.

J. P. DICKSON, *Ch'n.*

The committee on Expiration and Re-enactment of Laws, to whom was referred

No. 538, A., a bill for an act concerning fences;

Have had the same under consideration, and have directed me to report the same back with the recommendation that the enacting clause be stricken out.

J. B. MOORE, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Assembly and recommend that the further consideration thereof respectively be indefinitely postponed viz:

No. 30, S., a bill for an act to provide for the service of process on non-resident defendants, in certain cases;

(Messrs. Cobb and Bartlett dissenting.)

No. 36, S., a bill for an act providing for grand and petit

jurors in this State, and to amend sections 3, 8, and 13, chapter 118, revised Statutes, entitled "of grand and petit jurors;" (Messrs. Cobb and Bouek dissenting.)

A majority of the committee, (Ordway and Palmer dissenting) are of the opinion that the provisions of bill No. 36, S., in relation to reducing the number of grand and petit jurors, do not conflict with any of the provisions of the constitution of this State.

H. L. PALMER.

The Assembly refused to indefinitely postpone said bill No. 30, S.,

And, said bill was sent to the general file.

The Assembly refused to indefinitely postpone said bill No. 36, S.,

Mr. Ordway proposed the following amendment to said bill: Amend by adding a further section as follows:

Sec. —. When by reason of challenge or otherwise a sufficient number of jurors duly drawn and summoned, cannot be obtained for the trial of any cause, civil or criminal, the court shall cause jurors to be returned from the county at large to complete the panel; the jurors so returned shall be returned by the Sheriff, his under-Sheriff, or deputy-Sheriff, or by a Coroner, or by any disinterested person appointed by the court, and shall be such as are qualified and liable to be drawn as jurors, according to the provisions of law; and such Sheriff, officer or person, in returning such jurors, shall write down the names of three persons of the county, for each juror required; from which list of names, each party, commencing with the party demanding such jury, may strike out alternately until the list is reduced to the number of names required to fill the panel, and the names so left shall constitute the talismen to fill such panel; *provided*, that the right to challenge for cause, shall remain as heretofore, and shall apply to all such talismen drawn as aforesaid.

Which amendment was not agreed to.

The bill was then ordered to a third reading.

The committee on Enrolled Bills report that they have examined the following bills and find them correctly enrolled:

No. 435, A., an act to amend an act entitled an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved March 25th, A. D., 1858, and all acts amendatory of said act;

No. 549, A., a bill for an act to authorize the trustees of the

village of Sparta, to renew the warrant for the collection of unpaid taxes of said village.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The Select committee under Res. No. 22, A., to whom was referred bill

No. 188, S., a bill for an act concerning the transcribing of records;"

Have had the same under consideration and instructed me to report it back with amendments, and recommend its passage when so amended.

ANDREW E. ELMORE, *Ch'n.*

The amendments to said bill were adopted, and

The bill ordered to a third reading.

The Select committee, consisting of the Kenosha County delegation, to whom was referred bill

No. 318, S., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvements, and to repeal section 4, of subdivision 6, chapter 133, of the Private and Local Laws of 1857, entitled "an act to consolidate and amend the act to incorporate the city of Kenosha and the several acts amendatory thereof;"

Have had the same under consideration, and report it back with an amendment, with the recommendation that it does pass as amended.

M. HOWLAND,
SALMON UPSON.

The delegation from the city of Milwaukee, to whom was referred

No. 155, A., a bill for an act to authorize the aldermen of the third ward of the city of Milwaukee, to issue ward bonds for the purchase of real estate, for the use of said ward;

Have had the same under consideration, and report a substitute bill, and recommend its passage.

H. L. PALMER,
L. A. SCHMIDTNER,
E. G. HAYDEN,
M. HUMANN,
E. KEOGH.

The committee composed of the Milwaukee city delegation, have had bill

No. 304, A.,

Under consideration, and report back by substitute, and the passage of said substitute is recommended.

L. A. SCHMIDTNER,
M. HUMANN,
H. L. PALMER,
E. G. HAYDEN.

On motion of Mr. Schmidtner,

The rules were suspended for the consideration of the bills reported by the Milwaukee delegation, viz:

Nos. 304, A., and 155, A.;

Whereupon the respective substitutes reported were agreed to, and the bills as so amended were read a third time and passed, and the titles amended so as to read as follows:

No. 155, A., a bill for an act to provide for the purchase of real estate, and the erection of suitable buildings thereon for the use of the third ward of the city of Milwaukee;

No. 304, A., a bill for an act to authorize the common council of the city of Milwaukee to apply a portion of a ward tax of the second ward, to pay for the improvements of a public square, in block 165, in said ward.

The select committee consisting of the delegations from Manitowoc and Kewaunee, to whom was referred bill

No. 572, A., entitled a bill for an act for the preservation of fish in the counties of Manitowoc and Kewaunee;

And,

Mem. No. 328, A., on the same subject;

Have had the same under consideration, and report the same back with the recommendation that the bill do pass.

JOS. RANKIN, *Ch'n.*

The Jefferson county delegation, to whom was referred the remonstrance of ninety citizens, representing to be from the town of Watertown, against the division of said town;

Your committee find that the greater number of said signatures are in two different hands writing, and that a number of the signers to said remonstrance are living outside of said town of Watertown, and that two or three of said signatures are found twice in said remonstrance. In view of said facts, your committee are forced to the conclusion that said remonstrance is unworthy of our consideration, and therefore recommend that said bill, No. 413, A., do pass.

NORMAN HORTON, *Ch'n.*
JOHN SUTTON,
H. H. WINTER.

Said bill was then read a third time and passed, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bovay, Bow, Child, Cobb, Cole, Coles, Dockry, Fairchild, Fischer, Golden, Goodwin, Green, Hesk, Horn, Horton, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Patchin, Phillips, Rankin, Robertson, Ruan, Seaton, Simpson, Sumner, Sutton, Wescott, Winter, Wood and Mr. Speaker—43.

Those who voted in the negative were

Messrs. Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Elmore, Griswold, Grover, Hartung, Hayden, Holton, Howland, Humann, Langland, Lewis, Miller, Mitchell, Moore, Nash, Ordway, Palmer, Schmidtner, Spottswood, Stannard, Upson, VanderCook, Wage, Westby, Wheeler, Whittlesey, Whiting and Young.—39.

The select committee to whom was referred the report of the Secretary of State, in answer to Res. No. 58, A., and also Res. No. 86, A., have had the same under consideration and herewith submit the statement of John F. Seymour Esq., President of the Fox and Wisconsin River Improvement Company, and the affidavits of S. C. Sanford, W. G. Clemons and Jacob Fifield, marked exhibits A. and B., which contain all the information your committee have sought to obtain in regard to the matter enquired of in said resolution. Your committee are of opinion that the said Improvement Company have, considering the pecuniary embarrassments of the past two years, and the general depression of all kinds of business consequent thereon, done all that could be reasonably expected of them. And in view of the faith of the State solemnly pledged by section 6th, of the act of 1853 to this company, to aid them by liberal legislation, if required; your committee beg leave to report the accompanying bill, and recommend the passage of the same, and ask to be discharged from further consideration of said resolutions.

H. B. MUNN,
E. W. YOUNG,
JOHN C. NEVILLE,
Select Committee.

To the Hon. H. B. Munn, J. C. Neville, and Ephraim W. Young, committee relative to the Fox and Wisconsin Improvement Company.

GENTLEMEN:—In reply to the interrogatories you have ad-

dressed to the company I beg leave, with a view to avoid repetition, to include them in one connected answer.

When the State of Wisconsin turned over to private enterprise, the improvement of the Fox and Wisconsin Rivers, it had exhausted 187,517 87-100 acres of the 208, 303 69-100 acres of land, received from the General Government. It had incurred a large amount of State indebtedness and a very considerable portion of the works remained unfinished, as appears by a report of Dec 1, 1854.

The association of individuals who undertook the work, and who preceded the present company, obtained from Congress an additional grant of land, amount to 277,000 acres, for the Fox River. At the request of the present company, the State accepted that grant on condition that it be conveyed to trustees, to secure, first, the payment of the State indebtedness and the completion of the work; secondly, other indebtedness of the company, reserving a per centage for expenses.

As these lands were the lands of the United States Government and would not be liable to taxation while in that condition, they were exempted from taxes until July, 1863, all of which will appear more fully by the act of July 6, 1853, and of October 3, 1856, to which you are respectfully referred.

From the passage of the act of 1856, to the commencement of the disasters of 1857 and 1858, no difficulty was experienced or apprehended by the company in the sale of its lands or bonds, and eastern capitalists were willing to invest their means in a work which promised to benefit them as well as the State. The revulsion of 1857, in prostrating commerce and destroying confidence, rendered it impossible for the company to sell lands or bonds. In conjunction with the trustees, and through their common agent, they advertised through all the Eastern States, in the public journals and in pamphlet form, a *public auction* of their lands, in order to raise money with which to pay State indebtedness, and complete the work. For the same purpose they employed agents in Germany, Holland, and England, as well as in this country, to negotiate their bonds. All these attempts to sell lands and negotiate bonds were unsuccessful. All the means placed in their hands by the United States government, in its donation of land, and by the State of Wisconsin in its authority to issue bonds and take tolls on commerce, were of little avail, when commerce had nearly ceased, and there were no buyers of lands or bonds.

The directors and stockholders of this company, while sharing in the adversity of this State, did not lose their confidence in her ultimate prosperity, nor in the commerce which must pass through this route from the great lakes to the Mississippi river.

They therefore continued their work, and their payments on the State indebtedness, by an advance to the company of their private resources and credit, trusting that the people of the State would reward them for their perseverance in this important work, and relying upon sec. 6, of the act of 1853, wherein "The State solemnly pledges its faith to confer by future legislation, all such powers as may be found necessary to enable said corporation to carry into full effect the fair and obvious intent and meaning of this act."

The company had on hand and unsold, December 1st, 1859, 440,268 33-100 acres of land, as will be seen from statement A, hereto annexed, and a considerable portion of the lands sold since Oct. 3, 1856, have been in payment for work on the improvement. The company have paid, of State indebtedness, since July, 1853, consisting of back money due contractors, warrants of Board of Public Works, bonds issued by the State, and interest on the same, \$234,627 28. The present condition of the State indebtedness is as follows:

40 Improvement Fund Certificates of \$1,000 each, part due, ...	\$40,000 00
44 twelve per cent scrips of \$500 each, due in 1861,	22,000 00
108 .....do.....do.....do..... 1862,	54,000 00
Warrants past due,	763 95
Total of principal,	\$116,763 95
Two years interest due, at 12 per cent.,	29,704 74
Total, June 1st, 1860,	\$146,468 69

The work on the lower Fox river is completed so as to give four and a half feet depth of water in all ordinary seasons, and during the extraordinary drought of last summer, a small amount expended in tightening the dams, relieved the navigation from all difficulty except the Menasha channel.

The Company is now at work on this channel, and no further serious difficulty is apprehended there, unless there should be a recurrence of a similar drought. The new cut-stone lock and canal constructed by Messrs. Conkey & Wesley, at Rapid Croche, will be ready for use this spring.

The lock at Depere, by a change of plan, sanctioned by the Governor, Dec. 1857, is to be lengthened, but can be used, with some repairs, for another year or two.

A depth of 3 1-2 feet of water has been twice given to the Upper Fox by *dredging*, in 1858 and in 1859, as will appear by the annexed affidavits.

By a change of plan, approved by the Governor in February, 1857, the lock and dam in the vicinity of Princeton have been dispensed with, and the bars improved by means of wing dams, piers and dredging; and a large amount of this kind of

work has been done between Berlin and the Mechan river. It is proposed to put in several other wing dams, both above and below Berlin, against the recurrence of a season similar to that of last summer. A dam and lock have been partially built at Montello. A new lock has been built at Fort Winnebago, on the site of the one built by the State, and sunk five feet lower than the old lock, in order to give sufficient depth of water for navigation. It is now anticipated that a lock and dam of low lift may have to be constructed about four miles below Fort Winnebago, in consequence of the trouble experienced in keeping that part of the river open for navigation. The Company have two dredges, one of which has been built since 1856, and the other rebuilt from an old one, then on hand, both at a cost of \$12,288 68. One is located at Portage, and is ordered to commence work there in enlarging the canal and preparing for the foundations of a draw bridge, at Wisconsin and DeWitt streets, which the Company have contracted with the city to build. The other dredge is located at Menasha, and has been tendered to the people at Neenah, for a short time, to improve their channel. It is intended that both dredges shall be employed for the most part of the ensuing season on the Upper Fox.

The lock at the Wisconsin river, at Portage, was repaired last year, and with some additional repairs, will answer all the purposes of navigation the present year. With reference to the Wisconsin river, the Company have been guided in many respects by the opinions of men of experience, (such as Hercules Dousman, and other gentlemen familiar with that stream) that the navigation of the river by steamboat would make a channel, as in the case of the Upper Mississippi, and that generally money expended otherwise would be of no avail, although there may be some points where the stream will have to be contracted by means of wing dams, &c.

A steamboat made regular trips from Portage to Sauk in the latter part of last season, and several other steamboats ran out of the Upper Fox into the Wisconsin during the season. Statement annexed marked "B.," shows the expenditures for all the different kinds of work from October 3, 1856, to December 31, 1859. By reference to the same it will be seen that a much larger amount has been expended than was contemplated in the report of September 15, 1856. There is still about \$75,000 worth of work to be done, making the cost about \$200,000 instead of \$200,000, as specified in the report of 1856. This has occurred in consequence of a better class of work being done than was contemplated, and of many unforeseen contingencies which could not have been anticipated.

Statement annexed marked "C," shows the expenditures for State indebtedness, construction of work, operating improvements and expenses of land department. The company have paid out for State indebtedness and construction, since Oct. 3, 1856, \$181,539 00 more than they have received from the sales of land and tolls.

The work still proposed to be done, is as follows:

Lengthening Lock at Depere,.....	\$10,000
Enlarging Canals on Lower Fox,.....	2,000
Graveling Dams,.....	1,000
Completing Lock and Dam at Montello,.....	12,000
Rebuilding Lock at Portage,.....	25,000
Building Draw Bridge at Portage,.....	2,500
Enlarging Canal.....do.....	2,500
Wing Dam on Upper Fox.....do.....	5,000
Dredging.....do.....do.....	7,000
Engineering and Contingencies,.....	8,000
Total,.....	\$75,000

This work can all be completed in three years, if the demand for land shall revive as may reasonably be anticipated. I was appointed President of the company in 1857.

The amount expended by the State prior to its cession of the work to the company, inclusive of State indebtedness, as I suppose, appears to have been.....	\$428,855 83
The amount expended by the company for construction and navigation to August 25, 1856, is reported at.....	504,806 06
The amount expended since October 3, 1856, which a detailed report is annexed, is.....	260,272 08
Total,.....	\$1,193,933 97

It has also been before stated that the company has paid on State indebtedness of principal and interest,..... \$234,627 28

All of which is respectfully submitted,

JOHN F. SEYMOUR,
President of the Fox & Wis. Improvement Co.

A.

Statement relative to the Lands received from Government.

Amount of land confirmed,.....	674,103.25 acres.
....do. ....do....sold by State,.....	137,517.87 acres.
....do. ....do....sold by company prior to Trustees,.....	68,838.51 acres.
....do....do....sold by Trustees to December 1, 1859,.....	46,187.77 acres.
	<u>252,544.15 acres.</u>
	421,559.10 acres.
Amount claimed by company for Fox River Grant,.....	<u>18,709.23 acres.</u>
Amount of land resold December 1st, 1859,.....	440,268.33 acres.

B.

Statement of Expenditures by Daniel C. Jenne, Chief Engineer and Superintendent for Work done on the Fox and Wisconsin Improvement, from October 3d, 1856, to December 31st, 1859:

Kind of Work.	1856.	1857.	1858.	1859.	To
Engineering,	2,212 56	10,294 33	8,635 25	7,354 33	\$23,496 47
Constructing Dredges,....	802 93	11,721 22	11 11	253 36	12,288 68
Operating Dredges,.....	535 83	5,950 53	3,956 23	5,617 29	16,059 88
Lock Houses,.. . . .	20 20	1,050 19	.....	.....	1,070 39
Printing,.....	152 00	107 20	.....	.....	259 20
Miscellaneous,.....	901 94	532 30	2,559 45	788 66	4,782 35
Wing Dams on Upper Fox,.....	.....	1,901 93	1,600 00	3,000 00	6,501 93
Land Damages,.....	.....	.....	3,093 00	260 00	3,353 00
Lock Dam and Section at Little Kaukanna,.....	.....	34,404 96	10063 56	901 59	45,370 11
Lock & sec.at Rapid Croche Dam embank't, Kaukanna,.....	.....	5,360 00	23544 47	7,012 55	35,917 02
Enlarging Canal at Little Chute,.....	100 00	.....	.....	.....	100 00
Rebuilding combined locks,.....	.....	1,579 80	2,508 20	37 96	4,125 96
Lock and sec. at Menasha,.....	.....	.....	.....	10625 01	10,625 01
Lock and dam at Montello,.....	.....	1,980 00	3,626 66	208 40	5,815 60
Lock at Ft. Winnebago,....	.....	14,360 00	5,203 65	.....	19,763 65
Lock at Portage City,....	500 00	13,657 57	14310 00	56 26	23,519 83
Navigation account,.....	.....	.....	897 07	.....	897 07
Water Power account,....	.....	.....	.....	304 40	304 40
.....	.....	.....	.....	68 40	68 40
Total construction,.....	4,725 52	103,100 03	80008 65	36484 21	224,318 41
Operating department,....	1,368 70	12,830 93	12190 91	9,563 13	35,953 66
Total,	6,094 22	115,930 96	92199 56	46047 34	260,272 08

C.

Statement of Expenditures from Oct. 3, 1856, to Dec. 31, 1859.

Payments on State Indebtedness :

From Oct. 3d, 1856, to Sept. 1st, 1857,.....	\$46,229 32
Sept. 1st, 1857, to Sept. 1st, 1858,.....	17,429 97
Sept. 1st, 1858, to Dec. 1st, 1859,.....	726 68
	<hr/> \$64,385 97

Payments for Construction of Work :

From Oct. 3d, 1856, to June 1st, 1857,.....	4,725 52
June 1st, 1857, to June 1st, 1858,.....	103,100 03
June 1st, 1858, to June 1st, 1859,.....	80,008 65
June 1st, 1859, to June 1st, 1860,.....	36,484 21
	<hr/> 224,318 41

.....	1,868	70	
.....	12,830	93	
.....	12,190	91	
.....	9,563	18	
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Wheeler,	16,454	54	
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.....	3,377	08	
	<hr/>		20,381 62
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...	1,967	65	
	<hr/>		1,967 65
.....			\$347,007 32

being duly sworn,
Dredge Boat, No.
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STATE OF WISCONSIN, }
Columbia County, } ss.

Samuel C. Sanford, of the county aforesaid, being duly sworn, deposes and says, that in the years 1858, and 1859, he was in the employ of the Fox and Wisconsin Improvement Company, on dredge No. 2, that in the fall of '58 he worked on said dredge, below the mill at Portage city, and in the spring of '59 he also worked below said mill, on said dredge, until sometime in the latter part of May, of said year '59, when he left the upper Fox river, and went on said dredge to Appleton, on the lower Fox, arriving at said Appleton on or about the middle of June, of said year, that in passing down said river, he measured the depth of water in the channel of said river, at points not exceeding 80 rods, and often at a less distance from each other, and found not less than five feet of water, except at a place four miles below the mill at Portage, where there was four feet of water in said channel, further deponent saith not.

S. C. SANFORD.

Subscribed and sworn to before me, this 14th, day of March, 1860.

S. E. DANA, *Notary Public,*
Columbia County, Wis.

STATE OF WISCONSIN, }
Columbia County. } ss.

I, J. Fifield, of the county aforesaid, being duly sworn, depose and say, that in the years 1858 and 1859, I was in the employ of the Fox and Wisconsin Imp. Co., on Dredge No. 1, in charge of Capt. J. E. Underwood; that in the fall of 1858 I went on said Dredge, from Menasha to the Upper Fox, and that we commenced work about four miles below the mill, at Portage City, and dredged in the fall of '58 and spring of '59, to the mill aforesaid, leaving not less than five feet of water in the channel of the said Fox River. Further deponent saith not.

JACOB FIFIELD.

Subscribed and sworn to before me this 14th day of March, 1860.

S. E. DANA,
Notary Public, Col. Co.

The bill reported by said select committee being
No. 605, A., a bill for an act to amend an act entitled an act to secure the enlargement and immediate completion of the Improvement of the navigation of the Fox and Wisconsin Rivers,

and the payment of the scrip and other evidences of indebtedness, issued by the State on account of the same, and for the protection of the settlers on the even sections," approved Oct. 3d, 1856;

Was read twice,

The rules were, on motion of Mr. Munn, suspended for the consideration of said bill,

Whereupon said bill was read a third time and passed.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 141, A., a bill for an act to locate and establish school house sites;

No. 142, A., a bill for an act relative to persons mining for lead ore or other minerals;

No. 159, A., a bill for an act relating to public officers and their duties;

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas;

No. 494, A., a bill for an act to amend chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices in criminal cases, and of the proceedings therein;"

No. 550, A., a bill for an act to require the Treasurer of the city of La Crosse to receive school district orders in payment of school tax;

No. 557, A., a bill for an act to authorize the laying out of a State road from the Manitowoc river to the village of Menasha.

M. HOWLAND, *Ch'n.*

COMMUNICATION.

MR. SPEAKER:

It becomes my duty, under Assembly rule No. 40, to inform you that

No. 451, A., a bill for an act to execute the trust created by an act of Congress, entitled, "an act granting public lands to the State of Wisconsin, to aid in the construction of railroads, in said State," approved June 3d, 1856, by incorporating the Winnebago and Superior Railroad Company, and granting a portion of said lands thereto;

Introduced by Mr. Goodwin on the 6th inst.,

Was sent to the State Printer, to be printed on the same day; that the printed copies of said bill have been distributed by the Sergeant-at-arms; but that the original bill cannot be

found by the printer, or Sergeant-at-arms of this House; and, furthermore, said bill has not been received by me, or been in my possession, since the same was sent to the State Printer.

L. H. D. CRANE,

Ch'f Cl'k Assembly.

On motion of Mr. Goodwin,

The clerk was instructed to have the printed bill copied, and sent to the committee on Railroads.

Mr. Cobb, on leave, introduced

No. 604, A., a bill for an act to amend chapter 92, of the General Laws of 1860, entitled "an act to amend chapter 131, of the Private and Local Laws of 1857, entitled 'an act to incorporate the city of Mineral Point;'"

Which was read first and second times;

And, on motion of Mr. Cobb,

The rules were suspended, and

No. 604, A.;

Was read a third time and passed,

And the title agreed to.

On motion of Mr. Young,

The rules were suspended, and

No. 475, A., a bill for an act to encourage the investment of capital in manufacturing interests in this State;

Was taken from the table,

And recommitted to the select committee on that subject.

Mr. Hayden moved to reconsider the vote by which the Assembly refused to adopt the substitute to

No. 412, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of assessment and collection of taxes, and the acts amendatory thereto;"

Pending which,

On motion of Mr. Palmer,

The Assembly adjourned until 3 o'clock, P. M.

8 o'clock, P. M.

The Speaker called the Assembly to order.

The following messages and reports were received :

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 229, S., a bill for an act to incorporate the Wisconsin Agricultural and Mechanical Association;

No. 317, S., a bill for an act for the relief of the Frontier Bank, and for its removal to Juneau, Dodge county, Wisconsin;

No. 227, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

And further, that the Senate refuses to concur in Assembly amendment to

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local Laws of 185-, relating to certain State road therein named;

And also refuses to concur in Assembly amendments to

No. 167, S., a bill for an act concerning bills of exchange and promissory notes;

And has passed, and asks the concurrence of the Assembly in,

J. Res. No. 18, S.,

Relating to swamp lands.

No. 198, S., a bill for an act to amend an act, entitled "an act to provide for the disposing of the drainage fund, and the distribution of the interest thereof," approved April 3, 1858;

No. 295, S., a bill for an act to incorporate the Dane county Agricultural and Mechanical Association.

I am further directed to inform you that the Senate has concurred in the passage of

No. 335, A., a bill for an act to authorize the Corn Planters Bank, of Waupaca, to reduce its capital and remove its place of business;

No. 537, A., a bill for an act to amend chapter 226, of the Private and Local Laws of 1858; entitled "an act to incorporate the village of Kingston," approved May 8, 1858;

No. 552, A., a bill for an act providing for an increase of highway tax in the county of Richland;

No. 528, A., a bill for an act to appropriate to H. Bingham the sum of \$80;

No. 505, A., a bill for an act to legalize the organization and proceedings of the trustees of the Baptist Society in the village of Lowell, Dodge county;

No. 437, A., a bill for an act to amend an act entitled "an act to authorize the laying out a State road from the town of Howard, Brown county, to the Menomonee river;

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan Bridge Company;

No. 370, A., a bill for an act to incorporate the Thiensville Fire Engine Company;

No. 61, A., a bill for an act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

No. 312, A., a bill for an act for the preservation of game.

I am also directed to inform you that the Senate has indefinitely postponed

No. 39, A., a bill for an act to repeal chapter 16, of the Revised Statutes, entitled "of the duties of assessors in the collection of statistics;"

I am further directed to inform you that the Senate has appointed Messrs. Washburn and Rodolf committee of conference on

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county.

I am further directed to inform you that the Senate refuses to recede from its amendments to

No. 87, A., a bill for an act in relation to the abatement and revivor of suits;

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the liens of mechanics and others."

The joint committee report that they presented on the 21st, the following bills for his approval:

No. 549, A., a bill for an act to authorize the trustees of the village of Sparta to renew the warrant for the collection of unpaid taxes of said village;

No. 435, A., a bill for an act to amend an act entitled an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved March 25th, 1858, and all acts amendatory of said acts.

GEO. BENNETT, *Senate Com.*
C. MILLER, *Assembly Com.*

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled :

No. 498, A., a bill for an act conferring certain powers upon the Board of Supervisors of the county of Green Lake.

No. 363, A., a bill for an act to authorize the St. Croix River Bank to reduce its capital stock.

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists.

No. 164, A., a bill for an act to appropriate to L. C. Saxton the sum of eighty-three dollars.

No. 284, A., a bill for an act to establish the name of Ellie Metcalf.

No. 33, A., a bill for an act to lay out a state road from Stevens Point to Eau Claire.

No. 358, A., a bill for an act to repeal chapter 46, of the General Laws of 1860, entitled an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie.

No. 214, A., a bill for an act to amend sections 1 and 2, of chapter 89, of the General Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State;"

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 16;

No. 411, A., a bill for an act to appropriate to Thomas McFarland the sum of \$81 75;

No. 558, A., a bill for an act to authorize the commissioners of school and university lands to issue certain school land certificates;

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122 45;

No. 441. A., a bill for an act to extend the time of collection of taxes in the city of Watertown;

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senat has passed, and asks the concurrence of the Assembly in.

No. 252, S., a bill for an act to provide for the rayment of

the sum of money therein named to Andrew Proudfit, (assignee of Calkins & Webb,) being the amount due for the printing of assessment blanks, and forms furnished by the Secretary of State to the several counties of this State, in the year A. D. 1858;

No. 158, S., a bill for an act relating to school, university, swamp and overflowed lands belonging to the State, and to repeal section 9, of chapter 29, of the Revised Statutes;

No. 287, A., a bill for an act to remit to the county of Portage certain indebtedness to the State.

I am further directed to inform you that the Senate has concurred in the passage of

No. 259, A., a bill for an act to incorporate the Fort Howard and Appleton Railroad Company;

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 98, of the Private and Local Laws of 1858, entitled 'an act to to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;'"

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

No. 531, A., a bill for an act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

No. 580, A., a bill for an act to authorize the village of Menasha to aid in the construction of a railroad;

No. 280, A., a bill for an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment.

MR. SPEAKER—

I am directed to present for your signature the following bills:

No. 147, S., a bill for an act to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereto;

No. 224, S., a bill for an act to appropriate to Hugh Campbell the sum of \$127;

No. 139, S., a bill for an act relating to the duties of registers of deeds;

No. 150, S., a bill for an act to amend section 8, of chapter 86, of the Revised Statutes, entitled "of alienation by deed, of proof and recording of conveyances, and the cancelling of mortgages;

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Company;

No. 50, S., a bill for an act to legalize the assessment of taxes in the county of Walworth;

No. 59, S., a bill for an act to amend chapter 49, of the Revised Statutes, passed 1858, entitled "railroads;"

No. 142, S., an act relating to the LaCrosse county court;

No. 232, S., an act to amend section 2, chapter 140, R. S., entitled "of miscellaneous proceedings, in civil actions and general provisions;"

No. 268, S., an act to amend an act entitled an act to amend an act entitled an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereto;

No. 225, S., an act to amend chap. 345, of the Private and Local Laws of 1857, entitled an act to incorporate the village of Black Earth;

No. 222, S., an act relating to the public schools in the city of Oshkosh;

No. 273, S., an act regulating railroads;

No. 274, S., an act exempting certain property therein named from taxation;

No. 231, S., an act to amend chapter 193, of the private and local laws of the year 1859, entitled an act to incorporate the village of Oconto.

The pending question being on the motion to reconsider the vote by which the Assembly refused to adopt the substitute to No. 412, A.,

Said vote was reconsidered.

Mr. Horn moved that the substitute to said bill be laid aside informally, and that the Assembly proceed to the consideration of

No. 412, A.;

Which was agreed to.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On

No. 412, A.

Mr. Bouck in the chair.

After sometime spent therein the committee rose, and by their chairman reported that they had had under consideration No. 412, A.,

Had made sundry amendments thereto, and reported said bill back to the Assembly without recommendation.

On motion of Mr. Lyon,

The rules were suspended, and

No. 521, A., a bill for an act to amend and consolidate an act entitled "an act to incorporate the city of Racine, in the county of Racine, approved Aug. 8, 1848, and the several acts amendatory thereof;

Was taken from the general file;

The substitute was adopted, and

No. 52, A.,

Was read a third time and passed.

The title was amended by striking out triking out the words "and consolidate."

On motion of Mr. Lyon,

No. 42, S., a bill for an act to detach certain territory from the city of Racine, and to attach the same to the town of Mount Pleasant, in the county of Racine;"

Was taken from the general file.

Mr. Speaker moved to lay said bill on the table;

Which was disagreed to, by the following vote:

Those who voted in the affirmative were

Messrs. Barden, Barnum, Bartlett, Bettis, Blackman, Bouck, Bovay, Bugh, Bunn, Burt, Child, Cobb, Fairchild, Fischer, Griffin, Griswold, Hammarquist, Hartung, Hayden, Holton, Keogh, Miller, Neville, Ordway, Palmer, Smith, VanderCook, Weage, Whiting, Wood and Mr. Speaker—31.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Beath, Bow, Boyd, Brooks, Clise, Cole, Coles, Dickson, Dockry, Elmore, Farwell, Golden, Green, Grover, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Judd, Kiefer, Kingsbury, Meigs, Mitchell, Moore, Mulholland, Munn, Nash, Patchin, Rogers, Ruan, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Wescott, Wheeler, Whittlesey, Winter and Young—51.

On motion of Mr. Lyon,

No. 42, S.,

Was indefinitely postponed.

On motion of Mr. Smith,

The rules were suspended, and

No. 325, A., a bill for an act to amend an act in relation to public schools in the city of Watertown, and to repeal the act amendatory thereof;

Was taken from the general file.

Mr. Smith moved to amend said bill by striking out the whole of section 11;

Which was agreed to, and

No. 325, S.,

concurred in.

passed

opinion of the directors of the
company against the passage of

also

to amend an act entitled an
Mutual Insurance Company
Act thereof;

the Judiciary;

protecting certain property

building plank roads;
second times, and
others.

THE WHOLE

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Ran-

Mr. Bartlett moved to dispense with further proceedings under the call;

Which was disagreed to.

Mr. Bugh moved to adjourn;

Which was lost.

Mr. Young moved to dispense with further proceedings under the call;

Which was agreed to,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Ballantine, Barnum, Bartlett, Bettis, Blackman, Bovay, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, Dickson, Elmore, Farwell, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Jackson, Judd, Langland, Miller, Mitchell, Moore, Munn, Nash, Ordway, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Westcott, Wheeler, Whiting, Wood, Young and Mr. Speaker—62.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Barden, Beath, Bouck, Bow, Bunn, Dockry, Fairchild, Hartung, Hesk, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Mulholland, Neville, Palmer, Ruan, Sutton, VanderCook and Whittlesey—23.

Mr. Hunkins moved to adjourn;

Which was disagreed to.

Mr. Upson moved to amend Mr. Judd's motion by striking out all after the enacting clause and insert "No. 11, S."

Mr. Palmer called for a division of the question.

The question first occurring on striking out all after the enacting clause of

§. No. 412. A.,

The ayes and noes were called and ordered,

And the motion was lost by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bouck, Bow, Cole, Dickson, Dockry, Fairchild, Goodwin, Green, Griffin, Hartung, Hayden, Hesk, Humann, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Palmer, Ruan, Schmidtner, Simpson, Stannard, Sutton, VanderCook, Wheeler, Winter and Mr. Speaker—37.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Coles, Elmore, Farwell, Fischer, Golden, Griswold, Horton, Howland, Hun-

kins, Langland, Lewis, Mitchell, Ordway, Patchin, Robertson, Rogers, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Whiting, Wood and Young—47.

Mr. Bartlett moved to adjourn,

Which was disagreed to.

Mr. Alden moved to reconsider the vote by which the Assembly refused to strike the enacting clause to No. 412, A.,

Which was agreed to by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barden, Blackman, Bunn, Cobb, Cole, Dickson, Dockry, Fairchild, Fischer, Griffin, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Mackay, Meigs, Miller, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Ruan, Simpson, Stannard, Sutton, Whittlesey, Winter, Wood and Mr. Speaker—45.

Those who voted in the negative were

Messrs. Ballantine, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Burt, Child, Clise, Coles, Elmore, Farwell, Golden, Goodwin, Green, Griswold, Horton, Howland, Humann, Mitchell, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Smith, Spottswood, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting and Young—42.

The question being on striking out all after the enacting clause of said bill;

It was agreed to by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Bachuber, Blackman, Bouck, Bow, Coles, Dickson, Dockry, Fairchild, Fischer, Golden, Goodwin, Green, Griffin, Hammarquist, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Miller, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Ruan, Schmidtner Simpson, Stannard, Sutton, VanderCook, Winter, Wood and Mr. Speaker—44.

Those who voted in the negative, were

Messrs. Ballantine, Barnum, Bartlett, Bettis, Beath, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Cole, Elmore, Farwell, Griswold, Horton, Howland, Langland, Lewis, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Young—40.

Mr. Upson, on leave, withdrew his motion to amend by inserting "No. 11, S.;"

And the question occurring on inserting the substitute proposed by Mr. Judd ;

It was agreed to by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Farwell, Green, Griffin, Griswold, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Meigs, Miller, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Ruan, Schmidtnr, Simpson, Stannard, Sumner, Sutton, VanderCook, Winter, Wood and Mr. Speaker—45.

Those who voted in the negative were

Messrs. Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Dickson, Elmore, Fischer, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Lewis, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Young—42.

Mr. Wheeler moved to adjourn;

Which was disagreed to,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Boyd, Bugh, Bunn, Burt, Clise, Cobb, Dickson, Elmore, Fischer, Golden, Goodwin, Holton, Howland, Jackson, Lewis, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers, Ruan, Seaton, Spottswood, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting and Young—38.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Bouck, Bovay, Bow, Brooks, Child, Cole, Coles, Dockry, Fairchild, Farwell, Green, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Horton, Humann, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Meigs, Miller, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Schmidtnr, Simpson, Smith, Stannard, Sumner, Sutton, Whittlesey, Winter, Wood and Mr. Speaker—49.

The question being on ordering said bill to be engrossed ;

The Assembly refused so to order by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Farwell, Green, Griffin, Griswold, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Miller, Mulholland, Munn, Nash, Neville, Ordway, Palmer,

Ruan, Schmidtner, Simpson, Stannard, Sutton, VanderCook, Winter, Wood and Mr. Speaker—43.

Those who voted in the negative were

Messrs. Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Dickson, Elmore, Fischer, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Langland, Lewis, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Young—44.

Mr. Bovay moved to reconsider said vote, and moved to lay the motion to reconsider on the table;

Which was disagreed to.

By the following vote:

Those who voted in the affirmative were

Messrs. Ballantine, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Bunn, Burt, Child, Clise, Cobb, Dickson, Elmore, Fischer, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Langland, Lewis, Miller, Mitchell, Moore, Nash, Patchin, Phillips, Robertson, Rogers, Seaton, Spottswood, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting and Young—43.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barnum, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Farwell, Green, Griffin, Griswold, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Ordway, Palmer, Ruan, Schmidtner, Simson, Smith, Stannard, Sumner, Sutton, Whittlesey, Winter, Wood and Mr. Speaker—43.

Mr. Judd moved to adjourn;

Which was disagreed to;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Barden, Barnum, Bouck, Bow, Bunn, Cole, Coles, Dockry, Fairchild, Farwell, Fischer, Green, Griffin, Griswold, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Ordway, Palmer, Ruan, Schmidtner, Simpson, Stannard, Sutton, Winter, Wood and Mr. Speaker—40.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Bartlett, Bettis, Beath, Blackman, Bovay, Boyd, Brooks, Bugh, Burt, Child, Clise, Cobb, Dickson, Elmore, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Johnson, Kiefer, Langland, Lewis, Miller, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers,

Seaton, Smith, Spottswood, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Young—45.

Mr. Sutton moved a call of the House,
Which was sustained;

The roll was called and the following named gentlemen were found to be absent without leave:

Messrs. Alden, Horn and Rankin.

Mr. Ordway moved to dispense with further proceedings under the call.

Mr. Hayden moved to adjourn;
Which was agreed to by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Barnum, Bouck, Bow, Bugh, Bunn, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Green, Griffin, Griswold, Hartung, Hayden, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Neville, Ordway, Palmer, Ruan, Schmidtner, Simpson, Stannard, Sutton, VanderCook, Winter, Wood and Mr. Speaker—43.

Those who voted in the negative, were

Messrs. Ballantine, Bartlett, Bettis, Beath, Blackman, Bo-vay, Boyd, Brooks, Burt, Child, Clise, Cobb, Dickson, Fischer, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Kiefer, Langland, Lewis, Miller, Mitchell, Moore, Nash, Patchin, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Sumner, Upson, Wesby, Wescott, Wheeler, Whittlesey, Whiting and Young—42.

And the Assembly adjourned.

THURSDAY, March 22, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Mason officiated as chaplain.

On motion of Mr. Sutton,

The reading of the journal of yesterday was dispensed with.

Mr. Moore was granted leave of absence for two days.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Palmer:

Mem. No. 347, A., of John H. Tweedy and 107 other citizens of Milwaukee, praying the passage of the bill to protect certain counties, cities, towns, and villages, or some other law for the same purpose;

To accompany bill No. 332, A.

By Mr. Whittlesey:

Mem. No. 348, A., remonstrance of M. S. Gibson, and 396 others, against any change in the disposal of the North Western Land Grant;

To committee of the whole.

ACCOUNTS,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 86, the account of Church & Hawley.

Also,

No. 87, the account of R. G. Norton.

RESOLUTIONS INTRODUCED.

By Mr. Horn:

J. Res. No. 33, A.,

Resolved, by the Assembly, the Senate concurring, That this Legislature will take a recess from Saturday, the 24th inst., at 10 o'clock, A. M., till Thursday, the 5th day of April, at 8 o'clock P. M., and the joint resolution to adjourn the 27th inst. is hereby rescinded;

Which lies over.

NOTICE.

Mr. Horn's notice, relative to printing bills,

Introduced yesterday;

Was adopted.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred:

By Mr. Schmidtner:

No. 608, A., a bill for an act to incorporate the "German Mutual Insurance Company," of Milwaukee;

On motion of Mr. Schmidtner,

The rules were suspended, and

No. 608, A.,

Was read a third time and passed,

And the title agreed to.

And

No. 609, A., a bill for an act to amend chapter 90, of Private and Local Laws of 1859, entitled "an act to authorize the 2d Ward Cemetery Association of the city of Milwaukee to sell and convey a certain portion of their land;

On motion of Mr. Schneider,

The rules were suspended, and

No. 609, A.,

Was read a third time and passed,

And the title agreed to.

By Mr. Wheeler:

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature of 1859, being a part of chapter 129, of the Revised Statutes entitled "of injunctions and writs of ne exeat and of receivers;"

To committee on the Judiciary.

By Mr. Rogers:

No. 611, A., a bill for an act to amend chapter 218, of Private and Local Laws of 1859, entitled "an act to amend section 6, of chapter 6, of Private and Local Laws 1853, entitled an act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan River;

To committee on Internal Improvements.

By Mr. Phillips:

No. 612, A., a bill for an act to amend an act entitled "an act to amend chapter 48, of the Session Laws of 1856, in relation to lumber drifting on land;

To committee on Internal Improvements.

By Mr. Keogh:

No. 613, A., a bill for an act to authorize the common council of the city of Milwaukee, to erect a breakwater in the third ward of said city;

To committee composed of the Milwaukee delegation.

By Mr. Cobb:

No. 614, A., a bill for an act amending chapter 87, of the General Laws of 1858, entitled "an act providing for the organization, enrolling and discipline of the militia of the State of Wisconsin;"

To committee on the Militia.

By Mr. Dockry;

No. 615, A., a bill for an act to incorporate the village of Engelsburg;

To committee on Incorporations.

By Mr. Howland:

No. 616, A., a bill for an act to amend section 1, of chapter 107, of the Private and Local Laws of 1855, entitled "an act to incorporate the Kenosha Female Seminary;

To committee on Education."

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred account

No. 84, A., the account of L. H. D. Crane for services in opening session of Legislature, compiling Manual, and engraving and printing 1000 copies diagrams of Assembly chamber;

Have had said account under consideration, and instruct me to report it back by bill

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225;

And recommend said bill do pass.

Also, bill

No. 601, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

And recommend said bill do pass.

Also, bills

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on the State Prison;

No. 556, A., a bill for an act to appropriate a certain sum of money to the committee on Charitable and Religious Institutions;

Have had said bills under consideration, and report them back with amendments and recommend their passage as amended.

HEBER SMITH, *Ch'n.*

Said bill

No. 617, A.,

Was read twice and sent to the general file.

No. 308, A., a bill for an act to appropriate the commissioners of the State Reform School the sum of money therein named;

Have had said bill under consideration, and have instructed me to report it back with amendment, and recommend its passage as amended.

HEBER SMITH, *Ch'n.*

The amendment to said bill was concurred in.

On motion of Mr. Robertson,

The rules were suspended, and

No. 308, A.,

Was read a third time and passed, and

The title agreed to by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bow, Boyd, Brooks, Bunn, Burt, Child, Clise, Cobb, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Howland, Humann, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Winter, Wood, Young and Mr. Speaker—74.

Those who voted in the negative were

Messrs. Ahlhauser, Barden, Bugh, Clise, Cole, Dockry, Jackson, Meigs, Neville, Ruan and Townsend—12.

The committee on Roads, Bridges and Ferries, to whom was referred

No. 589, A., a bill for an act to repeal chapter 268, of the Private Laws of 1856, entitled "an act granting the right to keep and maintain a ferry across the Mississippi river, in Buffalo county;

And,

Mem. No. 336, A., petition of N. B. Grover and others, for a repeal of a charter for a ferry across the Mississippi river;

Have had the same under consideration and respectfully report the same back to the house, with recommendation that said bill No. 589, A., do pass.

C. G. HAMMARQUIST, Ch'n.

On motion of Mr. Sumner,

The rules were suspended, and

No. 589, A.,

Was read a third time and passed,

And the title agreed to.

The committee to whom was referred,

Memorial No. 304, of John Wolford Sebolt Dekker and Frederick C. Vryhied, asking the Legislature to pay them for improvements, which they have made on certain lands, which were sold to said petitioners by the school land commissioners, in December 3d, 1850, and August, 1853, and in January, 1853, (said lands not belonging to the State), but which had

been, by the general government, previously conveyed to John Fitzgerald, who subsequently transferred the same to John T. Reynolds; and by whom legal proceedings have been commenced, to dispossess said petitioners of the aforesaid premises, (so purchased of the school land commissioners);

And your committee further find, that in the month of April, 1850, the general government patented to the said John Fitzgerald, who subsequently transferred the same to John T. Reynolds, to wit: The south-west quarter of section No. 8, of township No. 13, north of range No. 23 east, in the county of Sheboygan, State of Wisconsin;

And it further appears, that on the 8d day of Dec., 1850, and on the 31st day of August, 1853, and on the 12th of January, 1853, the school land commissioners sold to the above named John Wolford, Sebolt Dekker and Frederick C. Vryhied, the aforesaid lands, in the following manner, to wit:

To John Wolford the south-west quarter of the south-west quarter of section No. 8, of township No. 13, north of range No. 23, east;

To Sebolt Dekker, the north-west quarter of the south-west quarter of section No. 8, of township No. 13, north of range No. 23, east;

And to Frederick C. Vryhied the north east quarter of the south-west quarter, and the south-east quarter of the south-west quarter of section No. 8, of township No. 13, north of range No. 23, east, in the town of Holland, in the county of Sheboygan;

And it also appears that the full amount of money required by law (in such cases made and provided) was paid at the time of the purchase of said lands; and that all legal interest since which time, has been promptly paid by said petitioners—which will appear by reference to certificates Nos. 53, 156, 180 and 181, now on record in the office of the school land commissioners; and as also appears from the plats of said lands, now of record in the office of the Secretary of State.

It further appears that said petitioners have paid to the State, upon said lands, as principal and interest, the following sums, to wit:

John Wolford paid \$152 98.

Sebolt Dekker paid \$112 54.

Frederick Vryhied paid \$208 46.

Making total \$473 98.

And it further appears that the said petitioners are Hollanders, that they purchased said lands of the School Land Commissioners, in good faith, and with the evident intention of improving the same, and making a home for themselves and

their families; that they did, at the time of the purchase of said lands, in 1850 and 1853, enter upon the same, and have made improvements thereon, and upon which, they have ever since and now do reside.

That in December, 1859, they were notified by the counsel of John T. Reynolds, in whom the title from the General Government seems to be vested; that legal proceedings would be commenced forthwith, to dispossess them of (his premises) *their homes*.

And that they have, by their counsel conferred with the School Land Commissioners, who fully concur with them in the justice and equity of their claims and recommend that their claims should be presented to the Legislature for relief.

And that it also appears, that the said petitioners are poor, and that nearly their entire means consisting in the improvements which they have, by their own hard labor, made upon these lands.

And *thus*, being driven from their *farms*, (as they doubtless will be), must, of necessity *leave* them and their families without house or home, or any visible means of subsistence, dependant wholly upon the cold charities of the world.

And your committee are clearly of the opinion, that said petitioners are justly and honorably entitled to the favorable consideration of this body; holding the State as an individual responsible, as a contracting party to make good her guarantee.

And more especially, when it appears that said petitioners have not even the ability to prosecute their claims against a private individual, and much less against the State, whose *heavy hand* is an *estop*, even to the ambitious and opulent.

And in conclusion, your committee are of the opinion, that the State as a contracting party, cannot afford to step behind her written contract, or to take the advantage of her own wrong.

Therefore, your committee have taken the liberty to report back to the Assembly said Memorial, with a bill, and recommend its passage.

All of which is respectfully submitted.

ORAN ROGERS,
E. W. STANNARD,
JAMES T. KINGSBURY,
Sheboygan Delegation.

Said Bill:

No. 618, A., a bill for an act to authorize the Commissioners of School and University Lands to purchase certain lands therein named, and to appropriate money for the payment for said lands;

Was read first and second times;
And referred to committee on claims.

The delegation from the county of Milwaukee, to whom was referred

No. 407, A., a bill for an act to permit the board of supervisors of the several towns of the county of Milwaukee, to lay out and open highways of the width of three rods;

Have had the same under consideration, and report the same back to the Assembly without amendment and recommend the passage thereof.

H. L. PALMER,
E. KEOGH,
P. DOCKRY,
J. RUAN,
M. HUMANN,
L. A. SCHMIDTNER,
E. G. HAYDEN,
T. HARTUNG.

The committee on Ways and Means, to which was referred No. 606, A., a bill for an act exempting certain property therein named from taxation;

And also

No. 607, A., a bill for an act regulating plank roads;

Have examined the said bills, and recommend their passage.

S. JUDD, *Ch'n.*

The committee on Banks and Banking to whom was referred No. 598, A., a bill for an act to permit the Clark County Bank to reduce its capital stock;

Have had the same under consideration, and are of the opinion that the bill ought not to pass.

An act has been passed at the present session, which was approved March 20th, 1860, to reduce the capital stock of said bank; and on the 21st day of March this bill is introduced for a further reduction of the capital stock of the same bank.— This seems to be asking more of the time and attention of the legislature than one such institution deserves. The banking law has left to the Legislature the power to permit banks to reduce their capital. Such powers, ought, in the opinion of your committee, to be exercised only upon good and sufficient reasons. There can be no good reason why a bank should reduce its capital twice during one session of the Legislature. It is believed that the only reason in this case, is, to avoid the payment of taxes, which, your committee submit, is not good or

sufficient, and therefore recommend that the enacting clause be stricken out of said bill.

W. M. GRISWOLD, *Ch'n.*

The joint committee report that they presented to the Governor, on the 22d inst., the following bills for his approval:

No. 498, A., a bill for an act conferring certain powers upon the board of supervisors of the county of Green Lake;

No. 363, A., a bill for an act to authorize the St. Croix River Bank, to reduce its capital stock;

No. 238, A., a bill for an act relating to the support of the poor in counties where the distinction between county and town poor exists;

No. 164, A., a bill for an act to appropriate to L. C. Saxton the sum of \$83;

No. 284, A., a bill for an act to establish the name of Ellie Metcalf;

No. 33, A., a bill for an act to lay out a State road from Stevens Point to Eau Claire;

No. 358, A., a bill for an act to repeal chapter 46, of the General Laws of 1860, entitled "an act to extend the time for the collection of taxes in the town of Freedom, in the county of Outagamie;

No. 214, A., a bill for an act to amend sections 1 and 2, of chap. 89, of the Gen. Laws of 1859, entitled "an act to prevent unauthorized purchases in behalf of the State;"

No. 464, A., a bill for an act to appropriate to Muldoon & Crampton the sum of \$77 16;

No. 411, A., a bill for an act to appropriate to Thomas McFarland the sum of \$81 75;

No. 558, A., a bill for an act to authorize the commissioners of school and university lands to issue certain school land certificates;

No. 433, A., a bill for an act to appropriate to G. D. Norris the sum of \$122 45;

No. 411, A., a bill for an act to extend the time of collection of taxes in the city of Watertown;

No. 263, A., a bill for an act to reduce the capital stock of the Walworth County Bank.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

The joint committee on Enrolled Bills report, that on the 19th inst., they presented to the Governor the following bills for his approval, viz:

No. 180, S., a bill for an act to amend an act entitled "an act to annex certain territory to the town of Hudson;"

No. 365, A., a bill for an act to provide for the incorporation of benevolent, charitable scientific, and literary societies ;

No. 273, A., a bill for an act to amend the charter of the city of Appleton;

No. 57, S., a bill for an act to authorize the city of Hudson to issue bonds;

No. 319, A., a bill for an act authorizing the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for an appropriation of money for the payment therefor;

Mem. No. 5, S., a memorial to the Post Master General for a change in a mail-route.

GEO. BENNETT, *Sen. Com.*

C. MILLER, *Ass. Com.*

The committee on Education, School and University lands, to whom was referred bill 423, A., a bill for an act to repeal so much of section 6, of chapter 143 of the private and local laws of 1857, as relates to the alteration of the boundaries of Union school No. 8, of the town of Monroe, in Green county;

Have had the same under consideration, and report the same by substitute, and recommend the passage of the substitute.

EDWARD D. HOLTON,

Chairman.

Also, herewith report back memorials 274, 283 and 326, and recommend that their further consideration be indefinitely postponed.

E. D. HOLTON, *Ch'n.*

The committee on Railroads, to whom was referred

Mem. No. 327, A., memorial of the Milwaukee and Mississippi Railroad Company, with bill

No. 568, A., a bill for an act to facilitate and authenticate the formation of a corporation by the purchasers of the Milwaukee and Mississippi Railroad Company;

Have had the same under consideration and instructed me to report the same back to the Assembly with the recommendation that said bill do pass.

WM. E. WHEELER, *Ch'n.*

The committee have also had under consideration

No. 53, S., a bill for an act to provide for the enclosing of railroads by fences and cattle guards;

And have instructed me to report the same back with a substitute, and to recommend the passage of the substitute.

WM. E. WHEELER, *Ch'n.*

The rules were suspended, and
No. 608, A.,
Was read a third time and passed,
And the title agreed to.
And

No. 609, A., a bill for an act to amend chapter 90, of Private and Local Laws of 1859, entitled "an act to authorize the 2d Ward Cemetery Association of the city of Milwaukee to sell and convey a certain portion of their land;

On motion of Mr. Schmidtner,
The rules were suspended, and
No. 609, A.,
Was read a third time and passed,
And the title agreed to.

By Mr. Wheeler:

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature of 1859, being a part of chapter 129, of the Revised Statutes entitled "of injunctions and writs of ne exeat and of receivers;"

To committee on the Judiciary.

By Mr. Rogers:

No. 611, A., a bill for an act to amend chapter 218, of Private and Local Laws of 1859, entitled "an act to amend section 6, of chapter 6, of Private and Local Laws 1852, entitled an act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan River;

To committee on Internal Improvements.

By Mr. Phillips:

No. 612, A., a bill for an act to amend an act entitled "an act to amend chapter 48, of the Session Laws of 1856, in relation to lumber drifting on land;

To committee on Internal Improvements.

By Mr. Keogh:

No. 613, A., a bill for an act to authorize the common council of the city of Milwaukee, to erect a breakwater in the third ward of said city;

To committee composed of the Milwaukee delegation.

By Mr. Cobb:

No. 614, A., a bill for an act amending chapter 87, of the General Laws of 1858, entitled "an act providing for the organization, enrolling and discipline of the militia of the State of Wisconsin;"

To committee on the Militia.

By Mr. Dockry;

No. 615, A., a bill for an act to incorporate the village of Engelsburg;

To committee on Incorporations.

By Mr. Howland:

No. 616, A., a bill for an act to amend section 1, of chapter 107, of the Private and Local Laws of 1855, entitled "an act to incorporate the Kenosha Female Seminary;

To committee on Education."

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred account

No. 84, A., the account of L. H. D. Crane for services in opening session of Legislature, compiling Manual, and engraving and printing 1000 copies diagrams of Assembly chamber;

Have had said account under consideration, and instruct me to report it back by bill

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225;

And recommend said bill do pass.

Also, bill

No. 601, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

And recommend said bill do pass.

Also, bills

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on the State Prison;

No. 556, A., a bill for an act to appropriate a certain sum of money to the committee on Charitable and Religious Institutions;

Have had said bills under consideration, and report them back with amendments and recommend their passage as amended.

HEBER SMITH, *Ch'n.*

Said bill

No. 617, A.,

Was read twice and sent to the general file.

No. 308, A., a bill for an act to appropriate the commissioners of the State Reform School the sum of money therein named;

Have had said bill under consideration, and have instructed me to report it back with amendment, and recommend its passage as amended.

HEBER SMITH, *Ch'n.*

The amendment to said bill was concurred in.

On motion of Mr. Robertson,

The rules were suspended, and

me to report the same back to the House, with the recommendation that said bill,

No. 577, A., do pass.

C. G. HAMMARQUIST.

The committee on the Judiciary, to whom was referred

No. 295, A., a bill for an act to amend section 145, chapter 120, of the Revised Statutes, entitled of "courts held by justices of the peace;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

DAVID S. ORDDWAY.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly, in

No. 98, S., a bill for an act to amend chapter 25, of title 8, of the Revised Statutes, entitled of the publication of legal decisions;

No. 195, S., a bill for an act to re-annex certain lands to the towns of Wauwatosa, Greenfield, Lake and Milwaukee, in the county of Milwaukee;

No. 185, S., a bill for an act to authorize the formation of railroad corporations, and to regulate the same.

Said bills were read twice and referred,

No. 98, and 185; S.,

To general file.

No. 195, S.,

To Milwaukee county delegation.

NOTICE.

By Mr. Griswold:

I give notice that on to-morrow I shall move to suspend the operation of Rule 23, during the remainder of the session.

SENATE MESSAGE,

Considered.

The Assembly refused to recede from its non-concurrence in the Senate amendment to

No. 37, A., a bill for an act in relation to the abatement and revival of suits;

And asks a committee of conference.

The Speaker appointed Messrs. Bouck, Cobb and Paimer as said committee on the part of the Assembly.

The Assembly insisted upon its non-concurrence in the Senate amendment to

No. 174, A., a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled "of the lien of mechanics and others;"

And asked a committee of conference.

The Speaker appointed Messrs. Ordway, Howland and Neville, as said committee on the part of the Assembly.

J. Res. No. 18, S., relating to swamp lands,
Was considered and adopted.

The Assembly insisted upon its amendment to

No. 208, S., a bill for an act to amend chapter 104, of the Private and Local Laws, of 1858, relating to a certain State road therein named;

And asked a committee of reference.

The Speaker appointed Messrs. Rankin, Mulholland and Boyd as such committee, on the part of the Assembly.

The assembly refused to recede from its amendment to

No. 167, S., a bill for an act concerning bills of exchange and promissory notes;

By the following vote;

Those who voted in the affirmative, were

Messrs. Ahlhauser, Barden, Bartlett, Bettis, Bovay, Child, Dickson, Griswold, Hammarquist, Holton, Horn, Ordway, Palmer and Mr. Speaker—14.

Those who voted in the negative, were

Messrs Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hartung, Hayden, Hesk, Horton, Howland, Humann, Hunkins, Jackson, Kingsbury, Langland, Lewis, Meigs, Miller, Mitchell, Mulholland, Munn, Nash, Neville, Patchin, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood and Young—65.

And asked a committee of conference.

The Speaker appointed Messrs. Elmore, Goodwin and Ordway as such committee on the part of the Assembly.

The following bills were read first and second times and referred:

No. 158, S., a bill for an act relating to school, university, swamp and overflowed lands belonging to the State;

No. 227, S., a bill for an act to amend chap. 13, of the Rev. Statutes, entitled "of counties and county officers;"

No. 229, S., a bill for an act to incorporate the Wisconsin Agricultural and Mechanical Association;

No. 254, S., a bill for an act to create the town of Forsyth, and to amend chapter 330, of the Private and Local Laws of 1857, incorporating the city of Berlin;

No. 295, S., a bill for an act to incorporate the Dane county Agricultural and Mechanical Association;

And

No. 317, S., a bill for an act for the relief of the "Frontier Bank," and for its removal to Juneau, Dodge county, Wisconsin;

To the general file.

No. 287, S., a bill for an act to remit to the county of Portage certain indebtedness to the State;

To committee on State Affairs.

No. 198, S., a bill for an act to amend an act entitled "an act to provide for disposing of the drainage fund, and the distribution of the interest thereof," approved April 30th, 1858;

To committee on Swamp and Overflowed Lands.

No. 252, S., a bill for an act to provide for the payment of the sum of money therein named to Andrew Proudfit, assignee of Calkins and Webb, being the amount due for the printing of assessment blanks and forms furnished by the Secretary of State to the several counties in the year A. D. 1858;

To committee on Ways and Means.

BILLS ON THEIR THIRD READING.

The following bills were read a third time and concurred in:
No. 64, S., a bill for an act to discontinue the surveys and selection of swamp and overflowed land within this State;

No. 36, S., a bill for an act providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, chapter 118, Revised Statutes, entitled "of grand and petit jurors;"

No. 132, S., a bill for an act to appropriate to Wakeley & Tenney the sum of \$250;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Cobb, Cole, Dickson, Fairchild, Farwell, Fischer, Goodwin, Grover, Hartung, Holton, Judd, Miller, Mitchell, Ordway,

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Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Barnum, Bettis, Bovay, Boyd, Bugh, Clise, Dickson, Dockry, Horn, Howland, Humann, Kiefer, Meigs, Moore, Mulholland, Rankin, Ruan, Schmidtnr, Stannard, Upson, Wescott and Wheeler—24.

No. 289, S., a bill for an act to provide for reimbursment of certain moneys to the general fund from the swamp land fund;

Was referred to the committee on Swamp and Overflowed Lands.

The Assembly refused to pass

No. 216, S., a bill for an act to appropriate to James M. Flowers the sum of \$177;

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bartlett, Bettis, Bovay, Bugh, Bunn, Burt, Child, Cole, Fairchild, Fischer, Griswold, Grover, Hammarquist, Hartung, Horton, Rogers, Schmidtnr, Stannard, VanderCook, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—27.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Beath, Blackman, Bouck, Bow, Boyd, Brooks, Clise, Coles, Dickson, Dockry, Elmore, Golden, Griffin, Hesk, Holton, Horn, Howland, Humann, Hunkins, Jackson, Johnson, Judd, Keogh, Kiefer, Langland, Lewis, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Patchin, Phillips, Robertson, Ruan, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Townsend, Upson, Weage, Westby, Wescott and Wheeler—56.

Mr. Horn moved to reconsider said vote,

And moved to lay the motion to reconsider on the table;

Which was agreed to.

No. 200, S., a bill for an act to amend chapter 160 of the general laws of 1859, entitled "an act to prescribe and limit the rate of interest;"

Being under consideration,

Mr. Boyd moved to lay the bill on the table.

Which the Assembly refused to do

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barnum, Bouck, Bow, Boyd, Bugh, Bunn, Cole, Dockry, Fairchild, Griffin, Griswold, Horn, Howland, Humann, Kiefer, Moore, Mulholland, Munn, Ruan, Schmidtnr, Seaton, Simpson, Spottswood, Stannard and Winter—28.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bovay, Brooks, Burt, Child, Cobb, Dickson, Elmore, Farwell, Fischer, Golden, Goodwin, Green, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Hunkins, Jackson, Johnson, Keogh, Kingsbury, Langland, Lewis, Meigs, Miller, Mitchell, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Smith, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—61.

Mr. Judd moved to refer said bill to the committee on Ways and Means with instructions to amend the bill so as to reduce the rate of interest to seven per cent.;

Pending which,

On motion of Mr. Neville,

The Assembly took a recess until 3 o'clock, P. M.

3 o'clock, P. M.

The Speaker called the Assembly to order.

The pending question being on the motion of Mr. Judd to "refer No. 200, S., with instructions."

Mr. Wheeler moved to amend by referring to a select committee of three;

Which was disagreed to.

The question occurring on Mr. Judd's motion;

It was lost by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Bouck, Bow, Boyd, Bunn, Cobb, Cole, Griffin, Griswold, Grover, Hammarquist, Horn, Howland, Judd, Kiefer, Miller, Mitchell, Moore, Munn, Nash, Ordway, Robertson, Ruan, Simpson, Stannard, Wescott and Wheeler—27.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bovay, Brooks, Bugh, Burt, Child, Clise, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Green, Hartung, Hesk, Holton, Horton, Humann, Hunkins, Jackson, Keogh, Kingsbury, Langland, Meigs, Mulholland, Neville, Palmer, Patchin, Phillips, Rogers, Schmitdner, Seaton, Smith, Spottswood, Sumner,

Sutton, Townsend, Upson, VanderCook, Weage, Westby, Whiting, Wood, Young and Mr Speaker—55.

The question occurring on the passage of the bill,
No. 200, S.,

Was read a third time and concurred in, by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bovay, Brooks, Burt, Child, Clise, Cobb, Dickson, Elmore, Farwell, Fischer, Golden, Green, Grover, Hesk, Holton, Horton, Humann, Hunkins, Jackson, Keogh, Kingsbury, Langland, Meigs, Miller, Mitchell, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rogers, Ruan, Schmidtner, Simpson, Smith, Spotswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whiting, Wood, Young and Mr. Speaker—62.

Those who voted in the negative, were

Messrs. Ahlhauser, Bouck, Bow, Boyd, Bugh, Bunn, Cole, Coles, Dockry, Fairchild, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Horn, Howland, Judd, Keifer, Mackay, Moore, Mulholland, Robertson, Seaton and Winter—25.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER :

I am directed to present for your signature

No. 85, S., a bill for an act to regulate and license the keeping dogs;

No. 183, S., a bill to promote the construction of horse railways in the city of La Crosse;

No. 220, S., a bill for an act to repeal chapter 47, of the Private and Local Laws of 1857, entitled "an act to authorize the common council of the city of Oshkosh, Wisconsin, to aid in the construction of gas works in said city;

No. 230, S., a bill for an act to authorize school district No. 1, of the town of Jefferson, to a raise tax to build a school house;

No. 193, S., a bill for an act to amend chapter 30, of the Private and Local Laws of Wisconsin, for the year 1859, entitled "an act to amend an act to incorporate the village of Waukecha;"

No. 238, S., a bill for an act authorizing the German Evangelic Lutheran Society, of the village of Manitowoc, to reorganize and to change their corporate name, and to legalize the acts of said society;

incorporate the Manitowoc
German "Der Turn Verein,"
maker.

THE SENATE, .

ask thereof :

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Mulholland, Munn, Neville, Palmer, Patchin, Ruan, Schmidtner, Simpson, Sutton, Townsend and Winter—38.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Bovay, Bugh, Bunn, Burt, Child, Cobb, Dickson, Farwell, Fischer, Golden, Goodwin, Griswold, Hammarquist, Hesk, Holton, Horton, Howland, Johnson, Judd, Langland, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—50.

Mr. Townsend moved to refer said resolution to the committee on the Militia;

Upon motion of Mr. Wescott,

Said motion to refer,

Was laid on the table.

Mr. Horn asked unanimous consent to amend by inserting after the words "world to come," the words "of which we do not presume to know anything ourselves;"

To which objection was made.

Mr. Holton called for a division of the question;

And the question being on adopting so much of the resolution as follows:

Resolved, by the Assembly, the Senate concurring, That in the judgment of this Legislature that the time has come when the great question of the extension or the restriction of slavery, compelling, as it has for a long period, the attention of the Congress, the State Legislatures, and the people generally, should be dispassionately examined and settled if possible upon such a basis as will restore quiet to the country, by doing justice to all interests involved.

The ayes and noes were called and ordered,

And it was adopted

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhoffen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Child, Clise, Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, Horn, Horton, Howland, Hunkins, Johnson, Judd, Keogh, Kiefer, Kingsbury, Langland Mackay, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Patchin, Phillips Robertson, Rogers, Ruan, Schmidtner, Simpson, Smith, Spottswod, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—79.

Those who voted in the negative were
Messrs. Brooks, Bunn, Humann, Jackson, Palmer and Sea-
ton—5.

On motion of Mr. Elmore,
The Assembly adjourned.

FRIDAY, March 23, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

The Rev. Mr. Eggleston officiated as chaplain.

On motion of Mr. Coles,

The reading of the journal of yesterday was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Elmore:

Mem. No. 349, A., remonstrance of James Field and 31 others, citizens of Green Lake county, against the removal of the county seat;

To committee on Town and County Organization.

And

Mem. No. 350, A., of Lewis Clark and 11 others, citizens of Beloit, to abolish all laws for the collection of debt;

To select committee on that subject.

By Mr. Palmer:

Mem. No. 351, A., of G. Preusser and 98 others citizens of Milwaukee, praying the passage of bill No. 332, A., to protect certain cities, towns, counties and villages;

To accompany bill No. 332, A.

And

Mem. No. 352, A., of N. Metz and 338 other citizens of Milwaukee, praying the passage of bill No. 332, A., to protect certain cities, towns and villages;

To accompany bill No. 332, A.

By Mr. Holton:

Mem. No. 358, A., of John B. Dwyer and 105 other against having certain property taken out of the present boundaries of the city of Milwaukee;”

To committee composed of Milwaukee county delegation.

ACCOUNTS,

Presented and referred:

By Mr. Fairchild:

No. 88, the account of Edmund Gibbs;

To committee on Claims.

By Mr. Fairchild:

No. 89, the account of Edmund Gibbs;

To committee on Claims.

Mr. Griswold, on leave, withdrew his notice of a motion to suspend the operation of rule 23.

RESOLUTIONS CONSIDERED.

J. Res. No. 33, A.,

Providing for a recess of the Legislature;

Introduced by Mr. Horn yesterday,

Was laid on the table by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Child, Chise, Cobb, Dockry, Farwell, Golden, Goodwin, Griswold, Harmmarquist, Hartung, Hayden, Holton, Horton, Howland, Judd, Keogh, Kingsbury, Langland, Mitchell, Munn, Nash, Ordway, Palmer, Phillips, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, VanderCook, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—57.

Those who voted in the negative, were

Messrs. Bachuber, Cole, Coles, Elmore, Fairchild, Green, Griffin, Grover, Horn, Humann, Hunkins, Jackson, Kiefer, Mackay, Meigs, Mulholland, Robertson, Ruan, Schmidtner, and Winter—20.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Goodwin:

No. 620, A., a bill for an act to authorize the village of Winneconne to aid in the construction of railroads;

To committee on Railroads.

And

No. 621, A., a bill for an act to provide for the election of directors of the Manitowoc and Mississippi Railroad;

To committee on the Judiciary.

By Mr. Holton:

No. 622, A., a bill for an act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled "an act to incorporate Saving Institutions;"

To committee on Incorporations.

By Mr. Kingsbury:

No. 623, A., a bill for an act to authorize the German Bank to reduce its capital;

To committee of the Whole.

On motion of Mr. Elmore,

The rules were suspended, and

No. 317, S., a bill for an act for the relief of the Frontier Bank, and for its removal to Juneau, Dodge county;

Was taken from the general file and referred to the committee on Banks and Banking.

REPORTS OF COMMITTEES.

The committee on Railroads, to whom was referred

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Baraboo Valley Railroad Co.,

Have had the same under consideration, and have instructed me to report said bill back to the Assembly, with a substitute, and recommend the passage of the substitute.

WM. E. WHEELER, *Ch'n.*

The committee on Incorporations to whom was referred

No. 615, A., a bill for an act to incorporate the village of Englesburg;

And,

Mem. No. 147, A., accompanying the same,

Have had the same under consideration, and have instructed me to report them back with recommendation that said bill do pass.

R. BUNN, *Ch'n.*

The committee on Internal Improvements, to whom was referred bill

No. 611, A., have had the same under consideration and have

instructed me to report the same back and recommend it be referred to the Sheboygan county delegation.

J. W. BURT, *Ch'n.*

Said bill was so referred.

The committee on State Affairs, to whom was referred
No. 287, S.,

Asks leave to return the same, as it is understood by said committee that the above bill was sent to it by mistake, and ask its reference to the committee on Ways and Means.

L. J. FARWELL,

J. C. NEVILLE,

L. A. SCHMIDTNER,

Said bill was so referred.

The committee on Claims to whom was referred

Mem. No. 244, A., the memorial of W. A. Barstow, praying for relief from expenses incurred, in the trial of a certain information in the nature of a *quo warranto*, filed in the Supreme Court of this State, by the Attorney General, on the relation of Coles Bashford, against W. A. Barstow, while acting as Governor of this State, contesting the right to the office of Governor;

Have had the said memorial under consideration, and report it back with the recommendation that the relief be not granted.

H. SMITH, *Ch'n.*

The committee on Claims to whom was referred accounts

No. 80, A., the account of Andrew Bishop, for services as sheriff, crier, and door keeper for Supreme Court;

No. 85, A., the account of C. M. Marvin, for rent of committee rooms, during the present session of the Legislature;

No. 86, A., the account of Church & Hawley, for furniture for use of State;

No. 87, A., the account of R. G. Norton, for labor and material for use of State;

Have had said accounts under consideration and report the same back by bills:

No. 623, A., a bill for an act to appropriate to Andrew Bishop, the sum of \$60;

No. 624, A., a bill for an act to appropriate to C. M. Marvin, the sum of \$50;

No. 625, A., a bill for an act to appropriate to Church & Hawley, the sum of \$28;

No. 626, A., a bill for an act to appropriate to R. G. Norton, the sum of \$26 24;

And recommend the passage of said bills.

Also,

No. 581, A., a bill for an act to provide for indexing the journals of the Senate an Assembly;

Have considered said bill, and a majority of said committee have instructed me to report it back and recommend its passage.

HEBER SMITH, *Ch'n.*

No's. 623, 624, 625 and 626, A.,

Were read first and second times,

And placed on general file.

To committee on Education, School and University Lands, to whom was referred

No. 217, S., a bill for an act, entitled "an act to amend chapter 23, of the Revised Statutes, entitled 'of common schools;'"

Have had the same under consideration and herewith report the same back with amendments, and recommend that when so amended it pass.

EDWARD D. HOLTON, *Ch'n.*

The select committee under

Resolution No. 16, A., to which was referred bill

No. 473, A., a bill for an act to amend chapter 160, of the general laws of 1859, entitled an act to prescribe and limit the rate of interest;

Have had the same under consideration, and instructed me to report a substitute, and recommend the passage of the substitute.

WM. W. BLACKMAN, *Ch'n.*

Joint select committee to whom was re-committed bill

No. 475, A., a bill for an act to encourage the investment of capital in manufacturing business in this State;

Have had the same under consideration, have amended the same, and recommend its passage as amended.

L. A. SCHMIDTNER,

E. W. YOUNG,

E. W. STANNARD,

Assembly Com.

E. L. PHILLIPS,

JOHN B. SWEAT,

Senate Com.

Said bill was referred to the general file.

The committee on Education, School and University Lands, to whom was referred

No. 585, A., entitled a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

Have had the same under consideration, and directed me to report the same back with the recommendation that it do pass.

E. D. HOLTON, *Ch'n.*

The Milwaukee county delegation to whom was referred bill No. 129, —, entitled a bill for an act relating to the Milwaukee county court, and to the terms of the Milwaukee circuit court;

Have had the same under consideration, and report it back without recommendation.

E. D. HOLTON.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bill, and find it correctly engrossed:

No. 522, A., a bill for an act to amend an act entitled "an to incorporate the city of Racine, in the county of Racine," approved August 8, 1848, and the several acts amendatory thereof;

M. HOWLAND, *Ch'n.*

The select committee consisting of the delegation from the Tenth Judicial Circuit, to whom was referred

No. 565, A., a bill for an act to establish the time of holding courts in the Tenth Judicial Circuit;

Report same back with recommendation that the enacting clause be stricken out.

GAB. BOUCK.

The delegation from the county of Racine, to whom was referred bill

No. 398, A., a bill for an act defining the boundaries of the towns of Orwell, Caledonia and Mount Pleasant, and organizing the town of Racine, in the county of Racine;

Together with

Mems. Nos. 265, 266 and 303, A., on the same subject;

Beg leave to report the same back with a substitute for said bill No. 398, A., and recommend the passage of the substitute.

L. L. BALDWIN,
F. A. WEAGE,
K. LANGLAND,
WM. P. LYON.

he rules for the passage of

report that they have com-
s, and find the same to be

end chapter 210, of the
ed "an act to incorpor-
Company;

nd chapter 226, of the
ed "an act to incorpo-
May 8th, 1858;

ng for an increase of

chapter 40, of the
thorize the city of

the boundaries of
erson;

organization and
ociety in the vil-

chapter 178, of
lishing the fees

; gham, the sum

ville Fire En-

t of taxes in
payment;
n act to au-
of Howard,

' Bank of
of busi-

A. C.

Dodge

rivate
wn of

Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell, in said county;

Have had the same under consideration, and have instructed me to report the same back to the House with recommendation that the same do pass without delay; and believe if there ever was an injustice done to any town in this State, that it was to the town of Shields, by an act of the Legislature of 1859, in taking of this territory from said town of Shields, as they are all law abiding men, good, prominent citizens of this State, and are willing to do to others the same as others should do to them, and as will be seen on the Assembly journal of 1859, that out of over 200 legal voters then living in said town of Shields, there was only 34 of whom signed a petition calling for a division of said town of Shields, fourteen of whom have declared they never signed a petition to that effect, and that it was entirely against their wishes to be set off from the said town of Shields.

J. SUTTON,
E. SIMPSON,
H. H. WINTER.

The balance of committee dissenting.

The select committee, consisting of the delegation from the county of Milwaukee, to whom was referred

No. 568, A., a bill to amend chapter 199, of the Private and Local Laws of 1859, entitled "an act to establish a municipal court in the city and county of Milwaukee, approved March 18, 1859;"

Have had the same under consideration, and report the same back to the Assembly with amendments, and recommend the passage thereof as amended.

H. L. PLMER,
M. HUMANN,
T. HARTUNG,
P. DOCKRY,
L. A. SCHMIDTNER,
E. D. HOLTON,
JOHN RUAN.

The joint committee on Enrolled Bills report that, on the 22d inst., they presented to the Governor for his approval, the following bills:

No. 47, S., a bill for an act to incorporate the Green Bay Gas Light Company;

No. 50, S., a bill for an act to legalize the assessment of taxes in the county of Walworth;

end chapter 49, of the Re-
 "railroads;"
 ting to the duties of reg-
 ; to the LaCrosse county

nd an act entitled " an
 incorporate the city of
 ry thereto;
 section 8, of chapter
 of alienation by deed,
 and the cancelling of

schools in the city

te to Hugh Camp-

f the Private and
 porate the village

f the private and
 incorporate the

er. 140, R. S.,
 tions and gen-

act to amend
 act to incor-
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ein named

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of

No. 385, A., an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river, in said county;

No. 561, A., an act to extend the time for publication and sale of unredeemed lands in the counties of Eau Claire and Chippewa;

No. 605, A., an act to amend an act entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on account of the same and for the protection of the settlers on the even sections, approved October 3d, 1856."

C. MILLER, *Ch'n.*

MESSAGE FROM THE SENATE

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 249, S., a bill for an act to define the qualifications of electors in certain cases;

No. 311, S., a bill for an act to amend chapter 258, of the Session Laws of 1850, entitled "an act to incorporate the Fort Winnebago and Duck Creek Plankroad Company;

No. 342, S., a bill for an act to amend an act entitled an act to appropriate the Islands in the Wisconsin river, between a line running parallel with the fourth principal meridian, ten miles east thereof, and a line running parallel with said meridian nine miles west thereof, to the Muscoda and Richland Bridge Company;

I am further directed to inform you that the Senate has concurred in

No. 128, A., a bill for an act to repeal chapter 224, of the General Laws of 1858, entitled "an act conferring jurisdiction on the county court of Columbia county;

No. 584, A., a bill for an act to extend the time for the collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns to build and maintain a dam across the Pecatonica river;

With an amendment.

THIRD READING.

lly read a third time and

ocate and establish school

end chapter 121, of the
jurisdiction of justices in
therein;"

ire the Treasurer of the
rict orders in payment

ize the laying out of a
he village of Menasha;
ize the commissioners
ertain sums of money

achuber, Baldwin,
unn, Burt, Child,
en, Grover, Ham-
orton, Hunkins,
ller, Mulholland,
kin, Robertson,
h, Spottswood,
escott, Wheel-
3.

Bouck, Bow,
ogh, Kiefer,

O. G. Sco-

Baldwin,
, Burt,
Golden,
Horn,
ackay,
dway,
eaton,
eage,

Westby, Wescott, Wheeler, Whiting, Wood, Young, and Mr. Speaker—58.

Those who voted in the negative were

Messrs. Ballantine, Barnum, Bettis, Beath, Bouck, Bow, Coles, Dockry, Goodwin, Howland, Humann, Keogh, Kiefer, Lewis, and Ruan—15.

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas;

Said bill being under consideration,

Mr. Brooks asked unanimous consent to amend section 1, by adding after the word "Douglas," the words "and the towns of Auburn, Ashford, Byron, Eden and Osceola, in the county of Fond du Lac;"

Which was agreed to, and

No 469, A.,

Was read a third time and passed,

And the title amended by adding thereto the words, "and in certain towns in the county of Fond du Lac."

On motion of Mr. Wescott,

The rules were suspended, and

No. 52, A., a bill for an act to authorize Wm. Knowles, his associates or assigns, to build a dam across the Peckatonica river,

Was referred to the Green county delegation.

REPORT.

The select committee, consisting of the Kenosha county delegation, to whom was referred bill

No. 487, A., a bill for an act to repeal chapter 164, of the Private and Local Laws of 1859, entitled an act to provide for appointment of superintendent of public schools in the city of Kenosha,

Together with,

Memorials Nos. 299, 300; 301 and 302, on the subject of a change in the laws relative to schools in the city of Kenosha;

Have had the same under consideration, and report them back, with the recommendation that the bill does pass.

M. HOWLAND,
SALMON UPSON.

On motion of Mr. Ordway,

The rules were suspended, and

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases,

Was taken from the general file.

Mr. Howland moved to amend by adding to section 5, the following:

"The provisions of this act shall not apply to any mortgage or other title, until one year after due;"

Which was disagreed to, and

The amendments reported to said bill by the committee on the Judiciary,

Were agreed to;

No. 34, S.,

Was read a third time and concurred in;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barden, Bartlett, Beath, Bouck, Bunn, Child, Cobb, Cole, Coles, Dockry, Fairchild, Goodwin, Griffin, Grover, Hartung, Hesik, Horn, Hunkins, Jackson, Judd, Keogh, Keifer, Lewis, Miller, Mitchell, Moore, Mulholland, Nash, Ordway, Phillips, Robertson, Rogers, Ruan, Seaton, Simpson, Stannard, Sumner, Sutton, Upson, Westcott, Wheeler, Whittlesey and Winter—47.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barnum, Bettis, Boyd, Brooks, Burt, Elmore, Golden, Green, Hammarquist, Hayden, Holton, Horton, Howland, Humann, Johnson, Kingsbury, Langeland, Meigs, Munn, Neville, Palmer, Rankin, Smith, Spottswood, Weage, Westby, Whiting, Woo', Young and Mr. Speaker—32.

The hour having arrived for the consideration of

THE SPECIAL ORDER,

No. 451, A., a bill for an act to execute the trust created by an act of Congress, entitled, "an act granting public lands to the State of Wisconsin, to aid in the construction of railroads, in said State," approved June 3d, 1856, by incorporating the Winnebago and Superior Railroad Company, and granting a portion of said lands thereto;

Mr. Goodwin moved that the rules "prohibiting debate," and "requiring bills to be considered in committee of the Whole," be suspended for the day, for the purpose of considering said bill

No. 451, A.;

Mr. Munn moved to amend said motion so as to include

No. 272, A., a bill granting to the Madison, Portage City, and Lake Superior R. R. Co., certain lands to aid in the construction of a railroad, and to repeal and annul a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company;

Mr. Judd moved to amend the amendment by including No. 11, S., a bill for an act to amend chapter 167, of the Gen. Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled "of the assessment and collection of taxes:"

Mr. Horn moved to lay the whole subject on the table,

Which was disagreed to.

The question occurring on Mr. Judd's amendment;

It was adopted.

The question occurring on Mr. Munn's amendment,

It was adopted.

The question occurring on Mr. Goodwin's motion as amended;

Two thirds not voting in the affirmative,

The Assembly refused to suspend the rules,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Barden, Barnum, Bartlett, Beath, Bouck, Bow, Boyd, Bunn, Child, Cobb, Coles, Dockry, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Horton, Kingsbury, Meigs, Miller, Mitchell, Moore, Munn, Patchin, Rogers, Ruan, Simpson, Stannard, Sumner, Sutton, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—43.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Bettis, Bugh, Burt, Clise, Dickson, Elmore, Green, Hartung, Hayden, Hesk, Holton, Horn, Howland, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Mulholland, Nash, Ordway, Palmer, Rankin, Robertson, Seaton, Smith, Spottswood, Upson, Weage and Westby—38.

Mr. Goodwin moved that the Assembly resolve itself into the committee of the Whole on

No. 451, A.,

And that the rules prohibiting debate in said committee be suspended.

Mr. Munn moved to amend by including

No. 272, A.,

Which was disagreed to, by the following vote:

Those who voted in the affirmative were

Messrs. Barden, Barnum, Bartlett, Beath, Bouck, Bow, Brooks, Bugh, Bunn, Child, Cobb, Cole, Dockry, Fairchild, Farwell, Goodwin, Griswold, Grover, Horton, Jackson, Meigs, Miller, Mitchell, Moore, Munn, Ordway, Rank, Rogers, Ruan, Seaton, Simpson, Stannard, Sumner, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—39..

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Bettis, Boyd, Burt, Clise, Coles, Dickson, Elmore, Golden, Green, Griffin, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Howland, Humann, Hunkins, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, Mulholland, Nash, Neville, Palmer, Patchin, Robertson, Smith, Spottswood, Upson, Weage, Westby, Winter and Mr. Speaker—48.

The question occurring on Mr. Goodwin's motion,

And two-thirds not voting in the affirmative, it was lost,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Bachuber, Barden, Barnum, Bartlett, Bouck, Boyd, Brooks, Bunn, Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Griswold, Hammarquist, Hesk, Holton, Howland, Hunkins, Jackson, Kingsbury, Mackay, Meigs, Miller, Mitchell, Moore, Munn, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Ruan, Simpson, Sumner, Sutton, Upson, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—52.

Those who voted in the negative, were

Messrs. Altenhofen, Baldwin, Ballantine, Bettis, Beath, Bow, Bugh, Burt, Child, Clise, Dickson, Golden, Grover, Hartung, Hayden, Horn, Horton, Humann, Judd, Keogh, Kiefer, Langland, Lewis, Mulholland, Rankin, Seaton, Smith, Spottswood, Stannard and Westby,—30.

On motion of Mr. Goodwin,

The Assembly adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The Speaker called the Assembly to order.

On motion of Mr. Griswold,

The motion to reconsider the vote by which the Assembly refused to pass

No. 216, S., a bill for an act to appropriate to James M. Flowers the sum of \$177;

Was taken from the table.

And the question occurring on reconsidering said vote;

Said vote was reconsidered.

On motion of Mr. Wescott,

Mr. Cole was added to the committee to whom was referred No. 52, A.

REPORTS.

The committee on Ways and Means, to which was referred bill

No. 252, S., entitled a bill for an act to provide for the payment of the sum of money therein named to Andrew Proudfit, assignee of Calkins and Webb, being the amount due for the printing of assessment blanks and forms furnished by the Secretary of State to the several counties of this State for the year A. D. 1858;

Have considered the same, and instructed me to report the bill back with a recommendation that it pass, Mr. Stannard dissenting.

The same committee have had under consideration bill

No. 287, S., entitled a bill for an act to remit to the county of Portage certain indebtedness to this State;

Have considered the same and recommend its passage.

STODDARD JUDD, *Ch'n.*

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
Madison, March 23, 1860.

To the Honorable the Legislature:

I herewith transmit to the Legislature, resolutions of the Legislature of the State of Ohio upon the subject of French duties upon American importations, to which a careful consideration is commended.

Respectfully,

ALEX. W. RANDALL.

WHEREAS, the State of Ohio, with the rest of the Mississippi Valley, is greatly interested in the extension of the market for those agricultural products of which our soil can yield so vast a supply, therefore

Resolved, by the general Assembly of the State of Ohio, That the President of the United States be respectfully requested to instruct our Minister at the Court of France, to use his best exertions to procure a reduction on the rates of duty now imposed by the French government on the agricultural products of the United States, and especially of those duties now imposed upon provisions and breadstuffs.

Resolved, That two copies of these resolutions be transmitted by the Governor to the President, with a request that one of them be forwarded to the American Minister at Paris, and also send copies to the Governors of Indiana, Illinois, Missouri, Tennessee, Kentucky, Wisconsin, Iowa and Michigan, who are respectfully requested to lay them before the Legislature of their respective States.

RICHARD C. PARSONS,
Speaker of the House of Rep.

ROBERT C. KIRK,
President of Senate.

Columbus, Ohio, March 16, 1860.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Madison, March 23, 1860. }

To the Assembly ;

The following entitled bills, originating in the Assembly, have severally received the Executive signature, and have been deposited in the office of the Secretary of State :

An act to amend the charter of the city of Appleton.

An act authorizing the Superintendent of Public Property to purchase the Governor's message in foreign languages, and for the appropriation of money for the payment thereof.

An act to provide for the incorporation of benevolent, charitable, scientific and literary societies.

An act to enable the corporation of the village of Sparta to construct side walks, and otherwise improve the streets of said village.

An act to authorize the city of Portage to maintain a levee.

An act to amend an act entitled an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved March 25, A. D. 1858, and all acts amendatory of said act.

An act to authorize the trustees of the village of Sparta to renew the warrant for the collection of unpaid taxes of said village.

An act to lay out a State road from Stevens Point to Eau Claire.

An act to appropriate to L. E. Sexton the sum of \$83.

An act to amend sections one and two of chapter 89 of the General Laws of 1859, entitled an act to prevent unauthorized purchases in behalf of the State.

An act relating to the support of the poor in counties where the distinction between county and town poor exists.

An act to reduce the capital stock of the Walworth county Bank.

An act to establish the name of Ella Metcalf.

An act to repeal chapter 46, of the General Laws of 1860, entitled "an act to extend the time for the collection of taxes in the town of Freedom in the county of Outagamie;

An act to authorize the St. Croix River Bank to reduce its capital stock;

An act to appropriate to Thomas McFarland the sum of \$81, 75;

An act to appropriate to D. G. Norris the sum of \$122 45;

An act to extend the time for the collection of taxes in the city of Watertown;

An act to appropriate to Muldoon & Crampton the sum of \$77 15;

An act conferring certain powers on the board of supervisors of the county of Green Lake;

An act to authorize the commissioners of school and university lands to issue certain school land certificates.

ALEX. W. RANDALL.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed,

No. 211, S., a bill for an act to provide for letting the public printing by contract, and to establish maximum prices for the execution thereof;

No. 235, S., a bill for an act to amend chapter 71, of the Revised Statutes, "of the incorporation of banking associations;"

No. 284, S., a bill for an act to grant a certain Island in the Wisconsin river to Orestes Garrison and H. W. Jackson.

In which the concurrence of the Assembly is requested.

I am also directed to inform you that the Senate has concurred in the passage of

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital stock and remove its place of business;

And

No. 290, A., a bill for an act to appropriate to Hitchcock & Co., the sum of \$1,242 25;

I am further directed to inform you that the Senate has appointed Senators Seeley and A. I. Bennett as a committee of Conference on the part of the Senate on bill,

No. 174, A., a bill for an act to amend chapter 118 of the General Laws of 1859, entitled of the liens of mechanics and others.

And Senators Rodolf and Seeley, on bill

No. 87, A., a bill for an act in relation to the abatement and revivor of suits;

Also, Senators Worthington and Washburn, on bill

No. 167, S., a bill for an act concerning bills of Exchange and promissory notes.

I am also directed to inform you that the Senate has concurred in the Assembly amendment to

No. 188, S., a bill for an act concerning the transcribing of records,

And,

No. 64, S., a bill for an act to discontinue the surveys and selection of swamp and overflowed lands within this State.

And has receded from its non-concurrence in the Assembly amendment to

No. 218, S., a bill for an act to amend chapter 104, of the private and local laws of 1858, relating to a certain State Road therein named.

I am further directed to present for your signature, the following bills:

No. 258, S., an act to authorize the School Land Commissioners to remit certain penalties;

No. 298, S., an act to exempt sewing machines from levy and sale on execution;

No. 182, S. an act to appropriate to Wakely and Tenny, the sum of \$250;

No. 250, S., an act to appropriate to Joseph Giles, the sum of \$75;

No. 325, S., an act to amend an act in relation to public schools in the city of Watertown and to repeal the act amendatory thereof.

Mr. Horn moved to reconsider the vote by which the Assembly refused, on motion of Mr. Goodwin, to suspend the rules prohibiting debate, and resolve itself into the committee of the Whole on No. 451, A.;

Which was agreed to, and

The question being on Mr. Goodwin's motion.

Mr. Munn moved to amend so as to include No. 472, A., in the motion;

Which was agreed to.

Mr. Horn called for a division of the question ;
And the question first occurring on "suspending the rules
for the purpose of considering No. 451 A.;"

It was agreed to by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Ballantine, Barden, Barnum,
Bartlett, Bettis, Beath, Bouck, Boyd, Bugh, Bunn, Child,
Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Goodwin,
Green, Griffin, Grover, Hammarquist, Hartung, Hesk, Horn,
Horton, Howland, Hunkins, Jackson, Judd, Keogh, Kiefer,
Kingsbury, Langland, Lewis, Mackay, Meigs, Mitchell, Munn,
Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin,
Robertson, Ruan, Simpson, Sumner, Sutton, Townsend, Up-
son, Weage, Wescott, Wheeler, Whiting, Winter, Wood, Young
and Mr. Speaker—63.

Those who voted in the negative were

Messrs. Altenhofen, Baldwin, Blackman, Bow, Burt, Clise,
Dickson, Griswold, Hayden, Holton, Miller, Mulholland, Rog-
ers, Seaton and Westby—15.

The question occurring on the suspending the rules for the
purpose of considering

No. 272, A.,

It was agreed to,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballantine, Bar-
den, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bow,
Bugh, Bunn, Child, Cobb, Cole, Coles, Dickson, DeWolf, Dock-
ry, Fairchild, Farwell, Goodwin, Green, Griffin, Griswold,
Grover, Hammarquist, Hayden, Hesk, Horton, Jackson, Kings-
bury, Langland, Lewis, Mackay, Meigs, Miller, Mitchell, Mul-
holland, Munn, Nash, Neville, Rankin, Robertson, Ruan, Simp-
son, Stannard, Sumner, Sutton, Townsend, Westby, Wescott,
Wheeler, Whiting, Winter, Wood, Young, and Mr. Speaker—
59.

Those who voted in the negative were

Messrs. Baldwin, Boyd, Burt, Clise, Elmore, Golden, Har-
tung, Holton, Horn, Howland, Hunkins, Judd, Keogh, Ordway,
Patchin, Smith, Upson and Weage—18.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On No's. 451 and 272. A.;

Mr. Cobb in the chair.

After some time spent therein, the committee rose, and by

their chairman reported that they had had under consideration No. 451, A.;

And reported the same back, with amendments and asked leave to sit again;

Leave was granted.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The amendments to

No. 451, A.;

Were concurred in.

Mr. Bartlett moved to adjourn;

Which was disagreed to by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Baldwin, Bartlett, Blackman, Child, Cobb, Cidson, Dockry, Fairchild, Farwell, Goodwin, Griffin, Grover, Hartung, Hayden, Hesk, Hunkins, Jackson, Kiefer, Lewis, Meigs, Mitchell, Munn, Rogers, Ruan, Sutton, Upson, Westby, Wescott, Wheeler, Wood and Young—83.

Those who voted in the negative, were

Messrs. Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bettis, Beath, Bouck, Bow, Boyd, Brooks, Bugh, Bunn, Burt, Clise, Cole, Coles, Elmore, Golden, Griswold, Hammarquist, Holton, Horn, Horton, Howland, Judd, Keogh, Kingsbury, Langland, Mackay, Miller, Moore, Mulholland, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Seaton Simpson, Smith, Stannard, Sumner, Townsend, Whiting, Winter and Mr. Speaker—50.

Messrs. Robertson, VanderCook, Schmidtner and Green were granted leave of absence until Monday next.

On motion of Mr. Bouck,

No. 227, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled of counties and county officers;

Was taken from the general file,

And Referred to committee on Town and County Organization.

REPORT.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 580, A., a bill for an act to authorize the village of Menasha to aid in the construction of a railroad;

No. 253, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes;

■ No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1859, entitled an act conferring jurisdiction on the county court of Columbia county.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

On leave,

Mr. Horn made the following report:

The committee on the Militia, to whom was referred

No. 614, A., a bill for an act amending chapter 87, of the General Laws of 1858, entitled "an act providing for the organization, enrolling and discipline of the militia of the State of Wisconsin;"

Report the same back and recommend that the same do pass.

F. W. HORN, *Ch'n.*

Mr. Howland moved moved to adjourn until half past seven o'clock.

Mr. Hunkins moved to adjourn,

Which was disagreed to.

The question occurring on Mr. Howland's motion,

It was lost.

Mr. Ruan moved to adjourn,

Which was agreed to,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Baldwin, Bartlett, Blackman, Bugh, Bunn, Child, Clise, Cobb, Cole, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Grover, Hartung, Hesk, Horton, Hunkins, Jackson, Kiefer, Langland, Meigs, Miller, Mitchell, Mulholland, Munn, Ordway, Palmer, Patchin, Rogers, Ruan, Simpson, Sumner, Townsend, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young, and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bettis, Beath, Bouch, Bow, Boyd, Brooks, Burt, Coles, Griswold, Hammarquist, Hayden, Holton, Horn, Howland, Judd, Keogh, Kingsbury, Lewis, Mackay, Moore, Nash, Neville, Phillips, Rankin, Seaton, Smith, Spottswood, Stannard, Sutton, Upson and Weage—35.

And the Assembly adjourned.

SATURDAY, March 24, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Britton officiated as chaplain.

On motion of Mr. Mitchell,

The reading of the journal of yesterday was dispensed with.

Messrs. Wescott, Bettis, Hunkins, Whiting, Blackman and Brooks, were granted leave of absence until Monday next, at 3 o'clock, P. M.

COMMUNICATION.

ASSEMBLY CHAMBER,
March 28d, 1860.

Hon. WM. P. LYON,

Speaker of the Assembly:

DEAR SIR:—The second section of the act passed at the present session, for the payment for newspapers for members, and officers of the Legislature, is as follows:

“Any such member or officer, may deliver to the Chief Clerk of the House, of which he is a member, a list of the newspapers taken by him, and he shall specify in such list, *the cost of each such paper*, not exceeding in the aggregate, the sum of fifteen dollars; said list shall be signed by the member or officer so furnishing the same, and all such lists shall be delivered by the said Chief Clerk to the Secretary of State.”

Resolution No. 33, A., adopted on the 20th January, is as follows:

“*Resolved*, That the Chief Clerk of the Assembly, be, and he is hereby directed to order for the use of the members and officers of the Assembly, during the present session of the Legislature, such newspapers as they may direct, and at the usual advertised rates, the number to each member not to exceed nine dailies, or their equivalent in weeklies, and to each subordinate officer two dailies, or their equivalent in weeklies.

“Each member shall make out and subscribe duplicate orders, specifying the papers desired; one of which duplicates shall be retained by the chief clerk, and the other shall be forthwith delivered to the Secretary of State, and the Secretary of State shall not audit any other, or further bill for newspapers, than those specified in such order.”

In pursuance of said resolution, the members and officers of the Assembly, with one or two exceptions, have delivered to me the duplicate orders described therein, and I have delivered to the Secretary of State one copy of each, as therein required.

I am now informed by the Secretary of State, that the accounts of newspaper publishers cannot be audited by him, under said act, from the duplicate orders filed with him, by me.

First, Because the orders do not specify the cost of the papers, as required by the act;

Secondly, Because the act does not provide for any payment for newspapers furnished to any officers except the Chief Clerk and Sergeant-at-Arms;

Thirdly, Because the average cost of the newspapers specified in the orders, largely exceeds the sum of fifteen dollars.

I deem it my duty to call your attention to the matter, in order that such action may be taken as may be deemed necessary to carry out the intentions of the Assembly.

Very Respectfully,

L. H. D. CRANE,

Chief Clerk of the Assembly.

Said communication was referred to the committee on Printing.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Palmer,

Mem. No. 354, A., of J. A. Hoover and 240 others citizens of Milwaukee, praying the passage of bill

No. 332, A., for the protection of certain cities, towns and villages;

To accompany bill

No. 332, A.,

By Mr. Holton,

Mem. No. 355, A., Mem. of Alexander Mitchell and 1000 others, relative to the manufacturing business;

To select committee on that subject, of which Mr. Schmitzner is chairman.

RESOLUTIONS INTRODUCED.

By Mr. Smith:

Res. No. 138, A.,

Resolved, That the committee on State Prison, to whom bill No. 162, A., was referred, some four weeks since, be, and are hereby required to report on said bill, on Monday next;

Which lies over.

By Mr. Hayden:

Res. No. 134, A.,

Whereas, The Sergeant-at-arms of this House, has revoked the appointment of N. L. Andrews, as fireman in the gallery, without assigning any cause or reason therefor; and whereas the said Andrews has always proved a capable, attentive and efficient officer; therefore,

Resolved, That the said Sergeant-at-Arms be respectfully required to reinstate the said N. L. Andrews, in his former position as fireman;

Which lies over.

By Mr. Kiefer:

J. Res. No. 34, A.,

Whereas, Simon Sekles, editor of the *Madison Democrat*, has put himself to the expense and trouble of publishing my speeches in his paper, unasked for, during the session of this Assembly, and

Whereas The said Mr. Sekles, having a great share of knowledge and wisdom, which he received on Mount Sinai, together with the amount of manna which he ate in the Wilderness, remaining in his stomach undigested; therefore, be it

Resolved, by the Assembly, the Senate concurring, That the Superintendent of Public Property be instructed to furnish Mr. Simon Sekles with one bottle of mucilage, for the purpose of eradicating the manna out of his stomach, together with twenty-five cents for publishing my speech, and no further payment be allowed him for his paper, as I have not received it;

Which lies over.

REPORTS OF COMMITTEES.

The committee to whom was referred, bill

No. 612, A., a bill for an act to amend an act entitled an act to amend chapter 48 of Session Laws of 1856, in relation to lumber drifting on lands,

Have had the same under consideration, and instructed me to report it back, and recommend its passage.

J. W. BURT, *Ch'n.*

The committee on Town and County Organization, to whom was referred

No. 539, A., a bill for the removal of the county seat of Green Lake county, to the village of Markesan in said county;

Also,

No. 547, A., a bill for an act for the removal of the county seat of Green Lake county, to the village of Dartford, in said county;

Also, memorial,
No. 319, A., for the removal of the county seat from the city of Berlin, to the village of Dartford;

Also, memorial

No. 318, A., for the removal of the county seat of Green Lake county, from the city of Berlin, to the village of Markesan;

Remonstrances,

Nos. 337, 338 and 349, A., against the removal of the county seat of Green Lake county, from the city of Berlin, in said county.

And a majority of your committee have had the same under consideration, and have directed me to report the same back without recommendation, there being two points designated by bills for the removal of the county seat, besides the present location at Berlin, and your committee not being able to agree on a recommendation in favor of either of the points designated in the bills, herewith return the same, and ask to be discharged from the further consideration of this subject.

J. P. DICKSON, *Ch'n.*

The Milwaukee Delegation to whom was referred

No. 479, A., a bill for an act to amend and modify an act to incorporate the Milwaukee Cemetery Association, of the city of Milwaukee, approved August 16, 1848;

Have had the same under consideration, and report it back with an amendment, and when so amended, recommend its passage.

H. L. PALMER,
E. D. HOLTON.
EDWARD KEOGH,
MATH. HUMANN,
E. G. HAYDEN.

The amendment to said bill was adopted.

On motion of Mr. Holton, the rules were suspended;

And,

No. 479, A., was read a third time and passed,

And the bill agreed to.

The committee on Incorporations, to whom was referred bill,

No. 622, A., a bill for an act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled an act to incorporate Savings Institutions,

Have had the same under consideration, and have instructed

me to report the same back without amendment, and recommend its passage.

ROMANZO BUNN, *Oh'n.*

The committee of Conference, to whom was referred bill

No. 174, A., entitled "a bill for an act to amend section 1, of chapter 113, of the General Laws of 1859, entitled of the liens of mechanics and others;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the Assembly do concur in the Senate amendment to said bill.

D. S. ORDWAY, *Oh'n.*

The Assembly receded from its non-concurrence in the Senate amendment to said bill.

The committee on Education, School and University Lands, report that they have had under consideration

No. 616, A., a bill for an act to amend section 1, of chapter 107, of the Private and Local Laws of 1855, entitled an act to incorporate the Kenosha Female Seminary;

And recommend its passage.

E. D. HOLTON,
JAS. CHILD,
G. C. MEIGS.

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled:

No. 308, A., a bill for an act to appropriate to the Commissioners of the State Reform School the sum of money therein named.

A. WOOD, *Oh'n.*

Said bill was signed by the Speaker.

On leave, Mr. Lewis introduced

No. 628, A., a bill for an act to amend an act entitled an act concerning the terms of court in the fourth judicial circuit;

Read first and second times and referred,

To committee on Judiciary.

SENATE MESSAGE OF YESTERDAY,

Taken up, read first and second time.

No. 211, S., a bill for an act to provide for letting the public printing by contract and to establish maximum prices for the execution thereof;

To general file.

No. 342, S., a bill for an act to amend an act entitled an act to appropriate the islands in the Wisconsin River, between a line running parallel with the fourth principal meridian, ten miles east thereof, and a line running parallel with said meridian nine miles west thereof, to the Muscoda and Richland Bridge Company.

Rules were suspended, and

No. 342, S.,

Was read a third time and passed.

No. 311, S., a bill for an act to amend chapter 258, of the Session Laws of 1850, entitled an act to incorporate the Fort Winnebago and Duck Creek Plank Road Company;

To general file.

No. 284, S., a bill for an act to grant a certain island in the Wisconsin River, to Orestes Garrison, and H. W. Jackson;

To general file.

No. 249, S., a bill for an act to define the qualifications of electors in certain cases;

To general file.

And

No. 235, S., a bill for an act to amend chapter 71, of the Revised Statutes, entitled "of the incorporation of banking institutions;"

To general file.

Mr. Alden moved to adjourn to Monday, at three o'clock, P. M.;

The ayes and noes were called for and ordered, and

The motion was lost, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Bettis, Boyd, Bugh, Elmore, Fairchild, Hartung, Hayden, Hesk, Horn, Hunkins, Keogh, Lewis, Mackay, Meigs, Palmer, Ruan and Whiting—19.

Those who voted in the negative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Bar-den, Barnum, Bartlett, Beath, Bouck, Boyay, Bow, Bunn, Burt, Child, Clise, Cole, Coles, Dickson, Dockry, Farwell, Golden, Griswold, Grover, Hammarquist, Holton, Horton, Howland, Jackson, Judd, Kiefer, Langland, Miller, Mitchell, Moore, Nash, Neville, Ordway, Phillips, Rankin, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Westby, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—56.

BILLS REPORTED BY COMMITTEE OF THE WHOLE

No. 332, A., a bill for an act to protect certain counties, towns, and villages;

Was taken up.

The amendments reported by the Judiciary committee to said bill

Were agreed to.

Mr. Palmer then submitted the following amendments:

Add the following new sections:

SEC. 17. When any railroad corporation shall give security to the satisfaction of the court for the payment of annual interest on the bonds of any city, county, town or village, issued in aid of said corporation, within such time as the court shall direct, the order appointing a receiver shall be vacated.

SEC. 18. The provisions of this act shall not affect, or in any way impair any lien or remedy now secured, or provided for, by virtue of any mortgage which may have been executed by any railroad corporation, previous to the execution of any mortgage by such company to any city, county, town or village.

Which were agreed to.

The bill was then ordered to its engrossment.

On motion of Mr. Elmore,

The rules prohibiting debate on

No. 11, S., being the Senate assessment bill,

Were suspended.

On motion of Mr. Elmore,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On bill No. 11, S.,

Mr. Barnum in the chair;

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration

No. 11, S.,

And reported the same back with the recommendation that the enacting clause be stricken out.

On motion of Mr. Judd,

The further consideration of

No. 11, S.,

Was postponed till Monday afternoon.

Mr. Stannard moved to reconsider the vote by which the Assembly concurred in

No. 34, S., a bill for an act to authorize the service of process by publication, in certain cases;

The Chief Clerk stated that the bill had been sent to the Senate;

Mr. Palmer moved to lay the motion of Mr. Stannard on the table temporarily, and that the Senate be requested to return the bill;

Mr. Horn moved that Mr. Stannard have leave to record his vote in the negative, on the passage of

No. 34, S.,

Pending which

Mr. Horn moved to adjourn, and

The ayes and noes were called and ordered,

The Assembly refused to adjourn, by the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bow, Bunn, Dock-ry, Farwell, Golden, Horn, Jackson, Keogh, Kiefer, Mackay, Meigs, Mitchell, Mulholland, Ordway, Upson, Westby, and Winter—20.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Boyd, Bugh, Burt, Child, Clise, Cobb, Cole, Elmore, Goodwin, Griswold, Grover, Hammarquist, Hayden, Hesk, Holton, Howland, Judd, Kingsbury, Langland, Miller, Moore, Munn, Nash, Neville, Palmer, Phillips, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Wheeler, Whittlesey and Wood—46.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed

No. 335, S., a bill for an act to legalize the acts of the county board of supervisors of Manitowoc county, for the year A. D., 1859;

No. 302, S., a bill for an act to provide for the management of the public schools in the city of Milwaukee;

No. 338, S., a bill for an act providing for a salary for the clerk of the circuit court for the county of Milwaukee, in lieu of the fees now allowed by law;

No. 337, S., a bill for an act in regard to testimony and witnesses;

No. 823, S., a bill for an act to establish terms of the circuit court in the counties of Crawford and Buffalo, in the Sixth Judicial Circuit;

No. 267, S., a bill for an act to provide for the laying out a State road therein named;

No. 348, S., a bill for an act to prohibit officers and agents of the State from contracting indebtedness against the State;

No. 164, S., a bill for an act for the protection of camp-meetings and other religious assemblies;

No. 201, S., a bill for an act prescribing the duties of county surveyors in the subdivision of counties;

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the passage of

No. 372, A., a bill for an act to authorize the commissioners of school and University Lands, to refund certain sums of money to Joseph Goldsmith;

No. 592, A., a bill for an act to repeal sec. 2, of chap. 119, of Private and Local Laws of 1858, entitled an act to amend chapter 132, of the Private and Local Laws of 1857, entitled an act to incorporate the city of Appleton;

No. 189, A., a bill for an act to authorize the towns, cities, and villages, of the county of Dodge to retain license moneys in their town, city or village treasuries;

With amendments to title and body thereof.

No. 308, A., a bill for an act to appropriate to the commissioners of the State Reform School the sum of money therein named;

I am further directed to present to you for signature,

No. 64, S., a bill for an act to discontinue the surveys and selection of swamp and overflowed lands within this State;

No. 188, S., a bill for an act concerning the transcribing of records;

No. 200, S., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled an act to prescribe and limit the rate of interest;

No. 218, S., a bill for an act to amend chapter 104, of the Private and Local Laws of 1858, relating to a certain State road therein named.

MR. SPEAKER—

I am directed to inform you that the Senate has concurred in the passage of

No. 514, A., a bill for an act to authorize the construction of a bridge across the Fox river at Wright's Ferry, in Wrightstown, Brown county;

No. 571, A., a bill for an act providing for a lien for labor and service upon logs and lumber in certain counties;

No. 589, A., a bill for an act to repeal chapter 268, of the Private and Local Laws of 1856, entitled "an act granting the

right to keep and maintain a ferry across the Mississippi river in Buffalo county;"

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins;

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage money, in Brown county;

No. 382, A., a bill for an act to provide for the expenditure of the drainage fund moneys in the county of Marathon;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 470, A., a bill for an act to organize the county of Ashland;

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

No. 380, A., a bill for an act prescribing the place of filing chattel mortgages on certain classes of property.

I am also directed to inform you that the Senate has concurred in the passage of the following bills with amendments:

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature;

No. 421, A., a bill for an act concerning the coupons of the capitol extension bonds issued by the city of Madison;

I am also directed to inform you, that the Senate has passed

No. 334, S., a bill for an act to provide for publishing the returned and Treasurer's lists, in certain towns in Sauk county, in the Pioneer Am Wisconsin;

No. 347, S., a bill for an act to change the time for holding the annual election for city and ward officers, in the city of Racine, for the year 1860;

No. 299, S., a bill for an act to amend sec. 12, chapter 3, of an act to incorporate the city of Prescott, approved March 9, 1857;

No. 256, S., a bill for an act to incorporate the Winslow and Jamestown Railroad Company,

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the Assembly amendment to

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases.

And have refused to concur in the Assembly amendment to

No. 53, S., a bill for an act providing for the enclosing of railroads by fences and cattle guards.

Mr. Cobb asked leave to present two reports;
Which was objected to.
The question occurring on requesting the Senate to return
No. 34, S., a bill for an act to authorize the service of process by publication in certain cases;
Mr. Boyd moved to take a recess till 3 o'clock;
Lost.
Mr. Judd moved that the Assembly take a recess till 7 o'clock;
Mr. Horn moved to adjourn;
Mr. Horn moved a call of the House;
Call not sustained.
The question occurring on Mr. Horn's motion to adjourn;
It was lost.
Mr. Bouck moved that the Assembly take a recess till 3 o'clock;
Mr. Alden moved to amend by substituting 8 o'clock;
Mr. Judd moved to amend the amendment by substituting 7 o'clock;
Mr. Alden accepted Mr. Judd's amendment.
The question occurring on Mr. Judd's amendment;
It was lost.
The question then recurring on Mr. Bouck's motion to take a recess till 3 o'clock;
Mr. Horn moved to amend by substituting 4 o'clock;
Lost.
Mr. Alden moved to adjourn;
Lost.
The question being on Mr. Bouck's motion;
The Assembly took a recess till 3 o'clock this afternoon.

3 o'clock, P. M.

The Speaker called the Assembly to order.
The question pending being the motion of Mr. Palmer, requesting the Senate to return to the Assembly,
No. 34, S., for further consideration;
The ayes and noes were called for and ordered.
Mr. Ordway moved a call of the House;
Call seconded;
Roll called, and
The following members were found absent without leave:

Messrs. Bartlett, Fischer, Hayden, Horn, Kingsbury, Lewis, McMichael, Patchin, Ruan, Townsend, Wheeler and Wood.

Mr. Miller moved to dispense with further proceedings under the call;

Lost.

Mr. Alden moved to adjourn;

Lost.

Mr. Alden moved that further proceedings under the call be dispensed with;

Lost.

The Sergeant-at-Arms proceeded to summon the absentees.

Mr. Young moved that the Assembly adjourn.

The ayes and noes were called for and ordered;

And the Assembly refused to adjourn, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Griffin, Grover, Hartung, Hesk, McKay and Neville—7.

Those who voted in the negative, were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Beath, Bouck, Bow, Boyd, Bugh, Bunn, Clise, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Farwell, Golden, Goodwin, Griswold, Hammarquist, Holton, Horton, Jackson, Kiefer, Kingsbury, Langland, Miller, Moore, Mulholland, Munn, Ordway, Palmer, Phillips, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Westby, Whittlesey, Wood, Young and Mr. Speaker—50.

Mr. Sutton moved that further proceedings under the call be dispensed with, and

Called for the ayes and noes;

The ayes and noes were not ordered, and

The motion was lost.

Mr. Barnum asked leave to 'go out;'

The Speaker authorized the Sergeant-at-Arms to wait upon the gentleman 'out.'

REPORT OF THE SERGEANT-AT-ARMS.

The Sergeant-at-Arms reported that

Messrs. Bartlett, Fischer, Hayden, Kingsbury, Lewis, Patchin, Wood and Horn, cannot be found.

On motion of Mr. Griswold,

The report of the Sergeant-at-Arms was accepted, and further proceedings under the call was dispensed with.

The question occurring on the motion to request the Senate to return to the Assembly,

No. 84, S.,

For further consideration,

The ayes and noes were called and ordered,

The motion was lost by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Bouck, Bovay, Boyd, Burt, Elmore, Griswold, Grover, Hammarquist, Hartung, Holton, Horton, Howland, Jackson, Langland, Mackay, Miller, Neville, Palmer, Rankin, Rogers, Smith, Stannard, Sutton, Wood, Young and Mr. Speaker—27.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Beath, Bow, Bugh, Bunn, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Griffin, Hesk, Judd, Keogh, Kiefer, Mitchell, Moore, Mulholland, Munn, Nash, Ordway, Phillips, Seaton, Simpson, Sumner, Townsend, Upson, Westby, Whittlesey and Winter—41.

The Speaker moved that the rules be suspended, and that No. 398, A., a bill for an act defining the boundaries of the towns of Orville, Caledonia, and Mt. Pleasant, and organizing the town of Racine, in the county of Raciné;

Be taken up for consideration.

Which was agreed to, and

The rules were suspended,

The amendment to the substitute adopted, and

The substitute agreed to as amended,

And bill read a third time and passed.

The title was amended as follows:

“A bill for an act to vacate and extinguish the town of Orwell, in the county of Racine, and to attach the territory comprising the same to the towns of Mt. Pleasant and Caledonia, in said county.

Mr. Cobb had unanimous consent to introduce the following reports:

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred

No. 621, A., a bill for an act to provide for the election of directors of the Manitowoc and Mississippi Railroad Company;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The Joint Select committee to whom was referred that part of the Governor's message relating to the geological survey, respectfully report as follows :

That they have given this important subject such attention and consideration as time and circumstances would allow ; that they have endeavored by personal interviews with the members of the Geological Commission, and by an examination of their several reports to the Governor, to arrive at a correct estimate of the progress already made of the work under their charge, its present condition and future prospects.

They regret to state that they do not find existing between the three departments of the survey, that unity of design, harmony of action, and self-sacrificing devotion to science and the interests of the State which the founders of this great undertaking had anticipated, and which are necessary to insure its complete success. The efficiency of the survey has been impaired by the want of a responsible head—of a single directing will, which should combine the labors, research, and varied experience of the many, into one harmonious whole. The evils resulting from this unfortunate state of affairs, have already been experienced in the withdrawal from the work of some of its most valuable prosecutors, and that, too, at a time when their services were beginning to meet with the appreciation they so richly deserved. The remedy for this state of affairs consists, in the opinion of this committee, in a better understanding between the heads of the three departments, which shall result in more perfect harmony of action.

Yet your committee are compelled to confess that, in spite of these obstacles, the results, thus far, have exceeded their expectations. A larger amount of labor has been performed, and a greater mass of materials collected for future reference and arrangement than is generally supposed. The commissioners have not only devoted much of their personal time and attention in making explorations in various portions of the State ; but have also employed several accomplished assistants to take charge of those branches of the survey for which they were peculiarly adapted.

By joint agreement of Professors Hall and Carr, Mr. J. D. Whitney, well known among scientific men, to stand unrivalled in the department of mining and economical geology, has been employed during the past year in completing the survey of the lead mines of the State. This, so far as already accomplished, is the most perfect work of the kind ever attempted in any State. It comprises a geological map, showing at a glance, the various formations of that region, and a still more valuable map on a large scale, exhibiting the precise location of every mineral

range ever worked in the lead mines, the name by which distinguished, the bearings, connections and relations of its numerous crevices and openings, and such other outlines as will assist the geologist and practical miner in their further explorations after the laws which govern the mineral kingdom, and in bringing to light the treasures of hidden wealth, known to abound in such profusion. Of this branch of the survey, Prof. Hall truly remarks:

"I can say with confidence that, if completed as begun, the map and report will be far superior to anything of the kind yet produced in the country; and the State of Wisconsin may present a model of this kind of work; and this would be eminently proper; since, I believe, there is no mineral region in the United States, of equal extent, which has been wrought so long, and has produced so constantly and liberally."

This work is now only half completed, and will demand a continuance of the services of Mr. Whitney for another season, at the close of which he will be able to present a full report, including the map and drawings, ready for publication in complete form. The State will then, and not till then, begin to reap the benefit to arise from a publication of the results of so much labor, and scientific research, as have been bestowed upon this branch of investigation. To insure the completion, then, of what has been so judiciously commenced, is, in the opinion of the committee, the first duty of the State.

Col. Whittlesey, together with an assistant, has also been employed by commissioners Hall and Carr, to make a survey of the north-eastern portion of the State, bordering on the State of Michigan, a region with which his previous experience had made him somewhat familiar; and the result of his labors has proved entirely satisfactory. This report, so far, is complete and ready for publication, whenever the interest of the State or of the survey shall demand it. His already acquired reputation and previous experience in the mining regions of Lake Superior, render his services very valuable in the further prosecution of the survey. And your committee believe that sound policy demands a renewal of his services in the further survey of this rich mineral region of the State.

Other persons have also been employed and paid by the same commissioners, out of the compensation allowed to each by the terms of his contract with the State.

According to the report of Prof. Daniels, he has devoted the greater portion of his time to the prosecution of his department of the survey, and has accumulated material for illustrating the geology of the Green Bay district.

No full and scientific report of investigation of the commis-

sion thus far, has been made; nor is such a report desirable until sufficient facts and materials have been collected to illustrate the entire geology of some portion of the State.

Your committee have examined the accounts and vouchers of the members of the commission, and find that Prof. Hall has drawn, since the commencement of the survey, the sum of \$8,000, of which amount, only \$750 have been applied on account of his own salary; \$1,100 has been paid to Col. Whittlesey; \$700 to J. D. Whitney, and the remainder has been applied to the payment of other assistants, and of expenses incidental to the survey. Prof. Carr has also drawn \$3,000, of which he has retained \$750. The sum of \$304 78 has been paid to Col. Whittlesey; \$1,000 to J. D. Whitney; \$320 69, to J. J. Hale, assistant; \$200 to Prof. Cassels, for assays; and the remainder to other incidental expenses. Prof. Daniels has drawn, during the last year, \$2000 of which \$489, has been paid for assistants and other expenses.

Having thus reviewed briefly, the manner in which operations during the past year have been conducted, your committee have arrived at the consideration of the policy of the State as connected with the future prosecution of the survey. And here it is proper to premise, that the survey is a fixed fact; that contracts have been concluded in accordance with the act of 1857, which nothing but neglect or incompetency can invalidate. To push the work on to a successful termination, is obviously, then, the duty and interest of the State.

The most important, in fact, the only question demanding the attention of the Legislature, in this connection, is in relation to the completion by Mr. Whitney of the survey and map of the lead region so successfully commenced, and which can be done before the close of the present year; and also as to the continuance of the survey of the Lake Superior region by Col. Whittlesey. Both of these objects, in the opinion of the committee, are essential to the success of the survey.

So far, the expense of employing Messrs. Whitney and Whittlesey, has been borne by Professors Hall and Carr out of the appropriations made to their respective departments. But they claim, and with a degree of justness, that this does not belong to the department with which they are connected, and that the amount belonging to them ought to be expended for the legitimate objects contemplated in the terms of their contract. It is understood to be their intention to take the field in person, and consequently there will be nothing to spare after paying their own salary and the necessary expense of assistants, transportation, etc. It remains for this Legislature, then, to provide the means for the completion of the local geology of the two districts of country referred to.

In order to accomplish this, no new appropriation will be required. A portion of the annual appropriation made by the act of 1857, has never been drawn from the treasury, in amount sufficient to bring the work to completion. Your committee, therefore, simply recommend that the Governor be authorized to draw such amount of said appropriation as was subject to his draft previous to the signing of the contract in May, 1858. Such amount to be applied to the payment of Messrs. Whitney and Whittlesey for the completion of their survey, and the engraving of such maps and drawings as may be necessary to illustrate them.

And in order to secure more efficiency in the future management of the survey, it is recommended that Prof. James Hall be constituted principal of the Geological Commission, and invested with such general oversight and control of the same as is not expressly reserved to the other commissioners in their contracts with the State.

In conclusion, your committee ask leave to report the accompanying bill.

M. M. DAVIS,
P. B. SIMPSON,
Senate Committee.
AMASA COBB,
ASAPH WHITTLESEY,
J. W. SEATON,
Assembly Committee.

Said bill

No. 692, A., a bill for an act to perfect the geological survey of the State;

Was read first and second times, and referred to general file.

Mr. Keogh had leave to make the following report:

The delegation from the city of Milwaukee, to whom was referred

No. 613, A., a bill for an act to authorize the common council of the city of Milwaukee, to erect a breakwater in the third ward of said city;

Have had the same under consideration, and report said bill back to the House with the recommendation that it do pass.

H. L. PALMER,
E. G. HAYDEN,
E. D. HOLTON,
E. KEOGH.

On motion of Mr. Keogh,
The rules were suspended,

The bill read a third time, and passed.

Mr. Holton moved to suspend the rules to take up

No. 129, A., entitled a bill for an act relating to the Milwaukee county court, and to the terms of the Milwaukee circuit court;

Which was agreed to.

Mr. Palmer moved to amend.

Mr. Bouck moved to indefinitely postpone.

Mr. Holton had unanimous consent to amend the bill, as follows :

Amend by striking out all after section 5, after the word "salary," in the 7th line, and insert "of such amount as shall be fixed by the board of supervisors of Milwaukee county, to be paid quarterly, out of the county treasury, but such salary shall not exceed sixteen hundred dollars.

Mr. Keogh moved to amend the amendment by striking out "1600" and inserting "1200."

Mr. Dockry moved to strike out the enacting clause.

The ayes and noes were called for and ordered, and

The enacting clause was stricken out by the following vote :

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Ballentine, Barden, Bouck, Burt, Child, Cole, Coles, Dockry, Elmore, Far child, Griffin, Hartung, Hesk, Howland Jackson, Judd, Kiefer, Meigs, Mulholland, Munn, Neville, Palmer, Rankin, Simpson, Sutton, Townsend, Upson and Winter—31.

Those who voted in the negative, were

Messrs. Baldwin, Barnum, Bovay, Bugh, Bunn, Dickson, Farwell, Golden, Goodwin, Griswold, Hammarquist, Holton, Horton, Keogh, Langland, Mitchell, Moore, Ordway, Phillips, Rogers, Seaton, Spottswood, Stannard, Sumner, Westby, Westby, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—30.

The joint committee on enrolled bills report that on the 23d inst., they presented the following bills to the Governor, for his approval, to wit:

No. 574, A., an act to amend an act entitled "an act to incorporate the city of Ripon," approved March 20th, 1858;

No. 548, A., an act to repeal an act conferring civil jurisdiction on the county court of Monroe county," approved March 11, 1859;

No. 432, A., an act to appropriate to Milo Coles the sum of \$50.98;

No. 385, A., an act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river in said county;

No. 561, A., an act to extend the time for publication and sale of unredeemed lands in the counties of Eau Claire and Chippewa;

No. 605, A., a bill for an act to amend an act entitled an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin Rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on account of the same, and for the protection of the settlers on even sections, approved October 3d, 1856.

No. 241, A., a bill for an act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan Bridge Company;

No. 537, A., a bill for an act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston," approved May 8th, 1858;

No. 552, A., a bill for an act providing for an increase of highway tax in the county of Richland;

No. 61, A., a bill for an act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

No. 413, A., a bill for an act to change the boundaries of the town of Watertown, in the county of Jefferson;

No. 505, A., a bill for an act to legalize the organization and proceedings of the trustees of the Baptist Society in the village of Lowell, Dodge county;

No. 180, A., an act to amend section 1, of chapter 178, of the general laws of 1859, entitled an act establishing the fees for the publication of the sale of forfeited lands;

No. 528, A., an act to appropriate to H. Bingham, the sum of \$80;

No. 370, A., an act to incorporate the Theinsville Fire Engine Company;

No. 280, A., an act to legalize the assessment of taxes in the county of La Pointe, and to extend the time of payment;

No. 337, A., an act to amend an act entitled an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menomonee river;

No. 312, A., an act for the preservation of game;

No. 355 A., an act to authorize the Corn Planters' Bank of Waupaca, to reduce its capital, and remove its place of business;

No. 580, A., a bill for an act to authorize the village of Menasha to aid in the construction of a railroad;

No. 253, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes;

No. 76, A., a bill for an act providing for the bringing of suits upon sheriff's bonds;

No. 128, A., a bill for an act to repeal chapter 124, of the General Laws of 1859, entitled an act conferring jurisdiction on the county court of Columbia county;

No. 308, A., a bill for an act to appropriate to the commissioners of the State Reform School the sum of money therein named.

GEO. BENNETT, *Sen. Com.*
C. MILLER, *Ass. Com.*

On motion,

The Senate message was taken up.

No. 53, S., a bill for an act providing for the enclosing of railways by fences and cattle guards;

The Assembly insists upon its amendment.

No. 164, S., a bill for an act for the protection of camp meetings and other religious assemblies;

Read first and second times, and

Referred to general file.

No. 201, S., a bill for an act prescribing the duties of county surveyors in the subdivision of sections;

Read first and second times, and

Referred to select committee, consisting of Messrs. Bovay, Howland and Child.

No. 256, S., a bill for an act to incorporate the Winslow and Jamestown Railroad Company;

Read first and second time, and

Referred to general file.

No. 267, S., a bill for an act to provide for the laying out of State road therein named;

Read first and second times;

Rules suspended, read third time, and concurred in.

No. 299, S., a bill for an act to amend section 12, chapter 3, of an act to incorporate the city of Prescott;

Read first and second times, and

Referred to general file.

No. 302, S., a bill for an act to provide for the management of the public schools in the city of Milwaukee;

Read first and second times, and

Referred to Milwaukee delegation.

No. 323, S., a bill for an act to establish terms of the circuit court in the counties of Crawford and Buffalo, in the Sixth Judicial Circuit;

Read 1st and 2d times, and

Referred to committee on Incorporations.

No. 334, S., a bill for an act to provide for publishing the returned and treasurers' lists in certain towns in Sauk county, in the "Pioneer Am Wisconsin;"

Read 1st and 2d times, rules suspended;

Read 3d time and passed.

No. 335, S., a bill for an act to legalize the acts of the county board of supervisors, of Manitowoc county, for the year 1859,

Read 1st and 2d times;

To general file.

No. 337, S., a bill for an act in regard to testimony;

Read 1st and 2d times, and referred to Judiciary committee.

No. 347, S. a bill for an act to change the time for holding the annual election for city and ward officers, in the city of Racine, for the year 1860;

Read 1st and 2d times, rules suspended;

Read 3d time and passed.

No. 338, S., a bill for an act providing for a salary for the clerk of the circuit court, for the county of Milwaukee, in lieu of the fees now allowed by law;

Read 1st and 2d times, and

Referred to Milwaukee county delegation.

No. 348, S., a bill for an act to prohibit officers and agents of the State from contracting indebtedness against the State;

Read first and second times, and

Referred to general file.

No. 431, A., a bill for an act concerning the coupons of the capitol extension bonds issued by the city of Madison;

Senate amendments concurred in.

No. 189, A., a bill for an act to authorize the towns, cities, and villages of the county of Dodge, to retain license moneys in their town, city and village treasuries;

Senate amendments concurred in, except as to Manitowoc county, which is non-concurred in.

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature;

With Senate amendments;

Was referred to the general file.

On motion of Mr. Bouck,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE

On the general file;

Mr. Palmer in the chair.

After some time spent therein, the committee rose, and their chairman reported that they had had under consideration the general file of bills, had made progress therein, and report back the following bills, with the several recommendations, and ask leave to sit again;

Leave was granted.

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

No. 296, S., a bill for an act to appropriate to Rufus Parks the sum of \$40;

No. 265, S., a bill for an act to appropriate to S. S. Keyes the sum of \$23;

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$68;

No. 307, S., a bill for an act to appropriate to Thos. Knudson the sum of \$38;

No. 306, S., a bill for an act to appropriate to Thos. Gill the sum of \$30;

No. 272, S., a bill for an act to provide for the holding of the annual school meeting in school district No. 4, in the town of East Troy;

No. 308, S., a bill for an act to appropriate to Wm. J. Gill the sum of \$42;

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 240, S., a bill for an act to organize the county of Door for judicial purposes;

No. 263, S., a bill for an act to appropriate to Wm. Edgar the sum of \$15 25;

No. 237, S., an act to annex a part of the county of Chippewa, to the county of Dallas;

No. 215, S., a bill for an act to appropriate to James M. Maughs the sum of \$25;

No. 202, S., a bill for an act concerning a bridge pier at Kewaunee;

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled "of notaries public;"

No. 309, S., a bill for an act to appropriate to Francis Henwood the sum of \$30;

No. 320, S., a bill for an act to provide for the disposal and

expenditure of the drainage fund, in the counties of Kewau-
nee and Door;

No. 23, S., a bill for an act concerning judgments in certain cases,

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50 25;

Severally, without amendment.

No. 209, S., a bill for an act to amend section 106, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;"

Reference to committee on Education, School and University Lands recommended.

No. 480, A., a bill for an act to protect widows and orphans;

No. 570, A., a bill for an act for the relief of Loren Peterson;

No. 573, A., a bill for an act to protect the State against loss by the withdrawal, in certain cases, of banking securities deposited with the State Treasurer;

No. 590, A., a bill for an act to appropriate to Wm. F. Porter the sum of \$73 75;

No. 314, A., a bill for an act to amend section 28, of chapter 13, of the Revised Statutes, to confer additional powers on the county boards of supervisors;

With recommendation that the enacting clause be stricken out.

REPORT.

The joint committee report that they presented to the Governor for his approval, on the 16th inst., the following bills, to wit:

No. 343, A., an act to provide for laying out a State road from Shawano to the State line:

No. 251, A., an act to appropriate to Thomas B. Lacy, the sum of \$87 68;

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

On motion of Mr. Elmore,
The Assembly adjourned.

MONDAY, March 26, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

On motion of Mr. Alden,

The reading of the journal of Saturday was dispensed with.

Messrs. Bow and Lewis had leave of absence for to-day.

Messrs. Boyd and Bachuber had leave of absence for three days.

BILLS TAKEN FROM GENERAL FILE.

On motion of Mr. Horn,

The rules were suspended to take up

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on State Prison;

Mr. Judd moved to include also

No. 556, A., a bill for an act to appropriate certain sums of money to the committee on Charitable and Religious Societies.

No objection being made, said bill was included, and

No. 540, A.,

Being under consideration,

The amendment proposed by the committee on Claims to strike out "25" and insert "15;"

Was lost, and

The bill was ordered to a third reading,

Read a third time, and

The ayes and noes being required,

The bill was concurred in, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bouck, Bow, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hayden, Hesik, Horton, Howland, Humann, Jackson, Judd, Keifer, Kingsbury, Langland, Mackay, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Whittlesey, Winter, Wood, Young and Mr. Speaker—60.

Those who voted in the negative, were

Messrs. Ballantine and Mitchell—2.

No. 556, A.;

Being under consideration;

The amendment proposed by the committee on Claims, by striking out the word "15," in the third line of section 1, and inserting the word "10,"

Was lost, and

The bill was ordered to a third reading,

Read a third time, and

The ayes and noes were called for and ordered,

And the bill was concurred in, by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Barden, Barnum, Bouck, Bow, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Green, Griffin, Grover, Hammarquist, Hartung, Hayden, Hesk, Horn, Howland, Humann, Jackson, Keogh, Kiefer, Langland, Mackay, Mitchell, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Rogers, Ruan, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—62.

Those who voted in the negative were

Messrs. Ballantine and Mitchell—2.

Mr. Phillips moved to suspend the rules, to take up

No. 287, S., and 229, S.

Mr. Fairchild moved to amend, by including

No. 290, S.;

Mr. Dockry moved to amend by including

Nos. 407, A. and 615, A.;

Mr. Neville moved to add to the last amendment,

Nos. 240, S., 202, S., 320, S., and 355, S.

Mr. Phillips accepted the several amendments,

The rules were suspended, and

Said bills were taken up, severally read a third time, and concurred in as follows:

No. 287, S., a bill for an act to remit to the county of Portage, certain indebtedness to the State;

Was concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Barden, Bouck, Bovay, Bow, Bugh, Burt, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Humann, Judd, Keogh, Kiefer, Kingsbury, Langland, Mackay, Mitchell, Mulholland, Nash, Neville, Phillips, Rogers, Seaton,

Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Whittlesey, Wood, Young and Mr. Speaker—52.

Those who voted in the negative were
Messrs. Baldwin, Ballantine, Barnum, Child, Howland and Ordway—6.

No. 229, S., a bill for an act to incorporate the Wisconsin Agricultural and Mechanical Association;

No. 295, S., a bill for an act to incorporate the Dane County Agricultural and Mechanical Association;

No. 240, S. a bill for an act to organize the county of Door for judicial purposes;

No. 202, S., a bill for an act concerning a bridge pier at Kewaunee;

No. 320, S., a bill for an act to provide for the disposal and expenditure of the drainage fund, in the counties of Kewaunee and Door;

No. 335, S., a bill for an act to legalize the acts of the Co. Board of Supervisors, of Manitowoc county, for the year 1859;
And,

No. 615, A., a bill for an act to incorporate the village Engelsburg;

No. 407, A., a bill for an act to permit the board of supervisors of the several towns in the county of Milwaukee, to lay out and open highways of the width of three rods,

Were severally passed.

On motion of Mr. Cole,

No. 256, S., a bill for an act to incorporate the Winslow and Jamestown railroad company,

Was referred to the Railroad Committee.

The morning hour having expired,

Mr. Elmore moved that the rules be suspended in order that the business of the morning hour could be proceeded with ;

The Assembly refused to suspend the rules.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed,

No. 351, S., a bill for an act for the relief of Joseph Knur, of the county of Manitowoc;

In which the concurrence of the Assembly is requested.

Said bill was read twice, and

Referred to general file.

I am further directed to inform you that the Senate has passed,

J. Res. No. 20, S.,

Resolved, by the Senate, the Assembly concurring, That this Legislature adjourn *sine die* on Monday, the 2d day of April next, at 9 o'clock, A. M., and that joint resolution to adjourn on the 27th inst., is hereby rescinded, and that no new business shall be introduced by "dead head," or otherwise, except as amendatory to pending bills or resolutions, after Tuesday, the 27th inst., and that no legislative business shall be transacted after Friday, the 30th inst., except such as may be connected with enrolled bills or joint resolutions.

And asks the concurrence of the Assembly therein.

Said resolution was concurred in,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barden, Barnum, Bovay, Bow, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hayden, Holton, Horton, Howland, Judd, Langland, McMichael, Mitchell, Munn, Nash, Ordway, Phillips, Rogers, Simpson, Spottswood, Stannard, Sumner, Townsend, Upson, Westby Wheeler, Whittlesey, Wood, Young and Mr. Speaker—43.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Bouck, Cole, Coles, Dockry, Elmore, Green, Grover, Hartung, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Mackay, Mulholland, Neville, Palmer, Patchin, Rankin, Seaton, Sutton and Winter—26.

MESSAGE FROM THE SENATE

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 604, A., a bill for an act to amend chapter 92, of the General Laws of 1860, entitled "an act to amend chapter 131, of the Private and Local Laws of 1857, entitled 'an act to incorporate the city of Mineral Point;

I am also directed to inform you that the Senate has receded from its amendment, so far as it relates to the county of Manitowoc, to

No. 189, A., a bill for an act to authorize the towns, cities and villages, of the county of Dodge to retain license moneys in their town, city or village treasuries.

I am further directed to inform you that the Senate has refused to recede from its non-currence to the Assembly amendment to bill

No. 53, S., a bill for an act providing for the enclosing of railroads by fences and cattle guards;

And asks a committee of conference.

The Senate has appointed Senators Phillips and Simpson committee on the part of the Senate.

On motion of Mr. Elmore,

The Assembly ordered the appointment of a committee on bill

No. 53, S.,

And the Speaker appointed Messrs. Elmore, Judd and Cobb as such committee.

BILLS READY FOR A THIRD READING.

The following bills were severally read a third time and passed:

No. 159, A., a bill for an act relating to public officers and their duties;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts.

The ayes and noes being required the bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Baldwin, Ballantine, Barden, Barnum, Beath, Bow, Bugh, Child, Clise, Cobb, Cole, Coles, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, Howland, Jackson, Judd, Langland, McMichael, Mitchell, Mulhol-land, Munn, Nash, Ordway, Palmer, Patchin, Rogers, Simp-son, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wheeler, Whittlesey, Winter, Wood, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Altenhofen, Bouck, Elmore, Horn, Keogh and Sea-ton—6.

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Baldwin, Ballantine, Barden, Barnum, Beath, Bow, Bugh, Child, Clise, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Dockry, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, How-

land, Jackson, Judd, Langland, McMichael, Mitchell, Mulholland, Munn, Nash, Ordway, Palmer, Patchin, Rogers, Simpson, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wheeler, Whittlesey, Winter, Wood, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Altenhofen, Bouck, Elmore, Horn, Keogh and Seaton—6.

J. Res. No. 20, A.,

On the subject of slavery and colonization,

Was, on motion of Mr. Palmer,

Laid on the table,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Beath, Bouck, Bow, Cole, Coles, Dockry, Elmore, Griffin, Grover, Hartung, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Mackay, Mulholland, Munn, Neville, Palmer, Patchin, Rankin, Seaton, Simpson, Sutton, Townsend and Winter—32.

Those who voted in the negative were

Messrs. Baldwin, Barnum, Bovay, Bugh, Burt, Child, Dickson, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Horton, Howland, Judd, Langland, McMichael, Mitchell, Ordway, Rogers, Stannard, Sumner, Upson, Westby, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—30.

REPORT OF THE COMMITTEE OF THE WHOLE

Considered.

The following bills were ordered to a third reading:

No. 23, S., a bill for an act concerning judgments in certain cases;

No. 265, S., a bill for an act to appropriate to S. S. Keyes, the sum of \$23;

No. 263, S., a bill for an act to appropriate to Wm. Edgar, the sum of \$15,25;

No. 306, S., a bill for an act to appropriate to Thos. Gill the sum of \$30;

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of 68;

No. 296, S., a bill for an act to appropriate to Rufus Parks, the sum of \$40;

No. 30, S., a bill for an act to provide for the service of process on non-resident defendants in certain cases.

No. 215, S., a bill for an act to appropriate to James M. Maughs \$25;

No. 237, S., a bill for an act to annex a part of the county of Chippewa to the county of Dallas;

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 272, S., a bill for an act to provide for the holding of the annual school meeting in school district No. 4, of the town of East Troy;

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

No. 309, S., a bill for an act to appropriate to Francis Harwood, the sum of \$30;

No. 308, S., a bill for an act to appropriate to Wm. J. Gill the sum of \$42;

No. 307, S., a bill for an act to appropriate to Thos. Knudson the sum of \$38.

The following bills were ordered engrossed for a third reading:

No. 491, A., a bill for and act to amend chapter 149, of the General laws, of 1859;

The ayes and noes being called for and ordered,

The bill was ordered engrossed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Beath, Bovay, Bow, Child, Cole, Dockry, Farwell, Fischer, Golden, Goodwin, Griswold, Grover, Jackson, Judd, Keogh, McMichael, Meigs, Mitchell, Moore, Mulholland, Munn, Patchin, Rogers, Seaton, Simpson, Spottswood, Sumner, Sutton, Upson, Westby, Wheeler, and Young—34.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barden, Barnum, Cobb, Coles, Dickson, Elmore, Griffin, Hammarquist, Hartung, Hayden, Hesk, Holton, Horton, Howland, Kingsbury, Langland, Nash, Neville, Ordway, Palmer, Robertson, Smith, Stannard, Whitteley, Wood and Mr. Speaker—28.

No. 590, A., a bill for an act to appropriate to Wm. F. Porter the sum of \$73,75;

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50,25;

No. 573, A., a bill for an act to protect the State against loss by the withdrawal, in certain cases, of banking securities deposited with the State Treasurer;

No. 570, A., a bill for an act for the relief of Loren Peterson;

The Assembly refused to order the following bills to be engrossed:

No. 471, A., a bill for an act to repeal sections 41 and 55 of

chapter 133 of the Revised Statutes, entitled costs and fees and acts amendatory thereto;

By the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Child, Coles, Farwell Holton, Horton, Howland, Humann, Judd, Keogh, Langland, McMichael, Mitchell, Mulholland, Nash, Rogers, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Upson, Westby, Whittlesey, Wood, Young and r. Speaker—28.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Barnum, Beath, Bouck, Bovay, Dickson, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Hesik, Horn, Jackson, Keifer, Kingsbury, Mackay, Munn, Neville, Ordway, Palmer, Patchin, Rankin, Townsend and Wheeler—31.

No. 512, A., a bill for an act to amend section 20, chapter 133, of the Revised Statutes, entitled "of costs and fees."

The amendments to the following bills were adopted, and the bills ordered to be engrossed.

No. 559, A., a bill for an act to amend section 3, of chapter 80, of the Revised Statutes, entitled "of agriculture;"

No. 502, A., a bill for an act requiring publication of notice of proposed special and local legislation;

The substitute to

No. 212, A., a bill for an act to empower cities, towns, and villages to grant the use of the streets therein, to certain railway companies;

Was adopted, and

The bill was ordered to be engrossed for a third reading.

The enacting clause of

No. 314, A., a bill for an act to amend section 28, of chapter 13, of the Revised Statutes, to confer additional powers on the county boards of supervisors;

And the enacting clause of

No. 105, A., a bill for an act to repeal chapter 134, of the General Laws of 1859, entitled "an act to authorize the clerk of the circuit court of each organized county, to procure a copy of the judgment record of unsatisfied judgments in the courts of the United States in and for the district of Wisconsin;

Were severally stricken out.

The following bills were severally referred to committee on Education.

No. 209, A., a bill for an act to amend section 106, of chapter 28, of the Revised Statutes, entitled "of the school and university lands;

No. 231, A., a bill for an act to amend chapter 24, of the Revised Statutes, entitled "of the distribution of the income of the school fund;"

No. 230, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes;"

And the following bill was referred to the Judiciary committee:

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled "of notaries public."

The amendment to

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

Was adopted;

The bill was read the third time, and

The ayes and noes being called for and ordered,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Baldwin, Ballantine, Barden, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dockry, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hayden, Holton, Horton, Howland, Humann, Judd, Keogh, Kingsbury, Langland, Mackay, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Townsend, Upson, Westby, Wheeler, Winter, Wood, Young and Mr. Speaker—60.

Those who voted in the negative were

Messrs. Barnum, Beath, Bouck, Bow, Elmore, Hesk, Jackson, and Sutton—8.

On motion of Mr. Elmore,

The rules were suspended in order to resume the business of the morning hour.

ACCOUNTS,

Presented and referred.

By Mr. Phillips:

The account of B. Brett;

To committee on Claims.

RESOLUTIONS INTRODUCED.

By Mr. Elmore:

Res. No. 135, A.,

Resolved, That the Judiciary committee be, and they are hereby instructed to report on to-morrow, whether in their opinion, there are any subjects in relation to which bills have not been introduced, during the present session, and if they find any such, that said committee report bills to-morrow, covering all cases of a private, general or local character, which have not been legislated upon, at the present session.

On motion, the rules were suspended,

And the resolutions were laid on the table.

By Mr. Mitchell:

Res. No. 136, A.,

Resolved, That during the remainder of this session no member shall be allowed to speak longer than five minutes at any one time, or more than twice upon the same question;

Lies over.

RESOLUTIONS CONSIDERED.

Res. No. 133, A.,

Requesting committee on State Prison to report bill

No. 262, A.,

Introduced by Mr Smith, on Saturday;

Was amended by inserting "Tuesday," in place of "Monday;"

And adopted as amended.

Res. No. 134, A.,

Requiring Sergeant-at-Arms to reinstate N. L. Andrews;

Introduced by Mr. Hayden, on Saturday,

Was laid on the table.

J. Res. No. 34, A.,

Relating to appropriation to Simon Sekles;

Introduced by Mr. Kiefer, on Saturday.

Mr. Goodwin moved to strike out the word "not," in the last line;

Lost.

Mr. Wheeler moved to lay the resolution on the table;

Mr. Ordway moved to postpone the resolution until Tuesday week.

Mr. Horn moved to refer to the committee on Militia;

The question being on Mr. Ordway's motion,

It was lost.

The question then occurring on the adoption of the resolution,

The ayes and noes were called for and ordered,

The Assembly refused to adopt the resolution,

By the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Bouck, Bow, Grover, Hammarquist, Mitchell, Rankin and Seaton—8.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Ballantine, Barden, Barnum, Beath, Bovay, Child, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Green, Griffin, Griswold, Hartung, Holton, Horn, Howland, Humann, Jackson, Judd, Keogh, Kingsbury, Langland, Mackay, McMichael, Miller, Moore, Munn, Nash, Neville, Ordway, Palmer, Patchin, Rogers, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, Westby, Wheeler, Wood, Young and Mr. Speaker—54.

BILLS, &c.,

Introduced on leave granted, read first and second times and referred.

By Mr. Elmore:

No. 630, A., a bill for an act to define sections 13, 45, 41 and 47, of the Revised Statutes, entitled "of the incorporation of banking associations;"

To committee on Banks and Banking.

Also,

No. 631, A., a bill for an act to amend section 38, of chapter 10, of the Revised Statutes, entitled "of State officers;"

To committee on Banks and Banking.

And,

No. 632, A., a bill for an act to amend section 20, of chapter 6, of the Revised Statutes, entitled "of the public printing and of the publication and distribution of statutes, and other public documents;"

To general file.

By Mr. Fairchild:

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

To committee on State Prison.

And

No. 634, A., an act restoring Charles W. Mains to citizenship;

To committee on State Prison.

By Mr. Holton:

No. 635, A., a bill for an act to amend chapter 18, of title 5, of the Revised Statutes, entitled "of the assessment and collection of taxes, and to encourage manufactures;"

To select committee under resolution No. 22, A.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred No. 337, S., a bill for an act in regard to testimony and witnesses;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without recommendation.

DAVID S. ORDWAY, *Ch'n.*

The joint committee on Enrolled Bills, report that on the 24th inst., they presented to the Governor for his approval, the following bills:

No. 325, S., a bill for an act to amend an act in relation to public schools in the city of Watertown, and to repeal the act amendatory thereof;

No. 298, S., a bill for an act to exempt sewing machines from levy and sale on execution;

No. 253, S., a bill for an act to authorize the school land commissioners to remit certain penalties;

No. 250, S., a bill for an act to appropriate to Joseph Giles the sum of \$75;

No. 133, S., a bill for an act to appropriate to Wakely and Tenney, the sum of \$250.

G. BENNETT, *of Senate.*

C. MILLER, *of Assembly.*

The Committee on Printing, to whom was referred the communication of L. H. D. Crane, Chief Clerk, beg leave to report that they have had the subject under consideration, and find that the newspapers taken by the members and officers of the Assembly, were ordered under resolution, No. 33, A., adopted on the 20th of January last, that said resolution directed the chief clerk of the Assembly, to order for the use of the members and officers of the Assembly, during the present session of the Legislature, such newspapers as they may direct, and at the usual advertised rates, the numbers to each member not to exceed nine dailies or their equivalent in weeklies;

That the sum of \$15 is not sufficient to pay for the newspapers ordered under resolution No. 33, A.;

Therefore, your committee report back the said communication, with a resolution and bill, and recommend the passage of the same.

G. B. GOODWIN,
JAMES W. SEATON,
K. LANGLAND.

Said bill being

No. 636, A., a bill for an act to provide for the payment of money for newspapers furnished the members and officers of the Assembly of 1860;

Was read twice and placed in the general file.

The resolution reported by said committee is as follows:

Res. 127, A.,

Resolved, That each member of the Assembly, and each of the officers and subordinate officers of the Assembly be requested to correct the list of newspapers taken by him, which list is on file in the office of the Chief Clerk, by designating what papers have been received by him;

Mr. Bovay moved to amend as follows:

Provided, That no member shall so correct his list as to include more than nine daily papers, or equivalent in weeklies;

Provided, that no addition be made to the said lists;

Pending which

On motion of Mr. Bouck,

The Assembly took a recess until 3 o'clock, P. M.

3 o'clock, P. M.

The Speaker called the Assembly to order.

The question being on postponing the consideration of the resolution reported by the Printing committee,

It was postponed until Tuesday morning.

On leave,

Mr. Whittlesey introduced bill

No. 637, A., a bill for an act providing for the filing of an official oath and bond of the county judge of Polk county;

Which was referred to committee on Judiciary.

On leave,

Mr. Fairchild presented the following accounts
Which were referred to committee on Claims.

No. 91, A., account of James Ross;

No. 92, A., account of James Ross;

No. 93, A., account of James Ross;

No. 94, A., account of James Ross.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to who were by Res. No. 82, A., instructed to report a bill to carry out the provisions of section 16, of artical 7, of the constitution which reads as follows :

“SEC. 16. The Legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers and duties.

“Such tribunals may be established in and for any township and shall have power to render judgments, to be obligatory on the parties, when they shall voluntarily submit their matter in difference to arbitration, and agree to abide the judgment, or assent thereto in writing.”

Hereby discharge that duty by reporting the accompanying bill and submit it to the wisdom of the Assembly, whether such bill pass or not.

All of which is respectfully submitted.

AMASA COBB, *Ch'n.*

Said bill being

No. 638, A., a bill for an act to establish courts of conciliation;
Was read twice, and placed on the general file.

The committee on the Judiciary to whom was referred
No. 150, A., a bill for an act to amend section 22, of chapter 132, of the Revised Statutes, entitled “of issues, mode of trial and judgment in civil actions;”

Have had the same under consideration, and have instructed me to report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on Education, School and University Lands, to whom was referred

No. 578, A., a bill for an act for the relief of John Bender;

Respectfully report that they have examined the papers now in possession of the commissioners of school, university and swamp lands, and that from such examination, it appears that said Bender made a pre-emption claim upon lots 1 and 2, of

section 22, town 20, range 14, in the county of Winnebago, on the 9th day of June, 1855, and that such claim was duly recorded in the register's office of said county, on the 13th day of June, 1855, and that on the 26th day of December, 1856, said Bender made due proof of his claim, and also made application for the purchase of said lots, and on the same day paid into the State treasury the sum of \$111 45, in full payment for the purchase money of said lots, and the fees and charges thereon, and that on the 7th day of May, 1857, patents Nos. 2,902 and 2,903 were duly issued to said Bender therefor.— It also appears from a communication from the Register's office at Menasha, that said lots 1 and 2 were not State lands, but that the same belonged to the United States and were then, February 3d, 1860, subject to sale and pre-emption.

It also appears to the committee from other sources that the said lots are now held adversely to said Bender under pre-emption from the United States.

It also appears to the committee by the affidavit of the said John Bender, that he also paid for improvements required of pre-emptors, by act of April 2d, 1855, and for recording pre-emption papers, witness fees, agent's fees, the sum of \$10,06.

That said Bender has also paid for taxes of 1858 and 1859 the sum of \$18,36, and that the interest on the several amounts paid by him as aforesaid at 7 per cent., amounts to \$35,50, making in all the sum of \$205,37.

The committee therefore report back said bill No. 578, with the recommendation that the same do pass.

E. D. HOLTON,
JAMES CHILD,
M. B. PATCHIN,
G. C. MEIGS.

The committee on Enrolled Bills report that they have examined and find correctly enrolled, the following bills, viz:

No. 380, A., an act prescribing the place for filing chattel mortgages on certain classes of property;

No. 174, A., an act to amend section one, of chapter 113, of the General Laws of 1859, entitled of the liens of mechanics and others;

No. 372, A., an act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith;

No. 431, A., an act concerning the coupons of the capitol extension bonds issued by the city of Madison;

No. 592, A., an act to repeal section two, of chapter 119, of the private and local laws of 1858, entitled an act to amend

chapter 132 of the private and local laws of 1857 entitled an act to incorporate the city of Appleton;

No 470, A., an act to organize the county of Ashland.

C. MILLER, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to inform you that the Senate has passed

No. 282, S., a bill for an act to appropriate the sum of \$25,000 to the State Prison commissioner;

And,

No. 127, S., a bill for an act to amend chapter 13, of Revised Statutes, entitled "county and county officers;"

In which the concurrence of the Assembly is requested.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to present to you for signature,

No. 334, S., a bill for an act to provide for publishing the returned and treasurer's lists in certain towns in Sauk county, in the *Pioneer am Wisconsin* ;

No. 347, S., a bill for an act to change the time for holding the annual election for city and ward officers in the city of Racine, for the year 1860;

No. 267, S., a bill for an act to provide for the laying out a State road therein named;

No. 342, S., a bill for an act to amend an act entitled an act to appropriate the islands in the Wisconsin river between a line running parallel with the fourth principal meridian, ten miles east thereof, and a line running parallel with said meridian, nine miles west thereof, to the Muscoda and Richland Bridge Company;

No. 36, S., a bill for an act providing for grand and petit jurors in this State, and to amend sections 3, 8 and 13, of chapter 118, Revised Statutes, entitled "of grand and petit jurors;"

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases;

On motion of Mr. Bouck, the special order No. 11, S., being the Senate Assessment Bill, was taken up for consideration.

The question being on striking out the enacting clause,

The Assembly refused to strike out the enacting clause.

Mr. Palmer moved to strike out all after the enacting clause.

The ayes and noes were called for and ordered.

The Assembly struck out all after the enacting clause, by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Barnum, Beath, Bouck, Bow, Cole, Coles, Dockry, Elmore, Fairchild, Green, Griffin, Griswold, Hartung, Hesk, Horn, Humann, Hunkins, Jackson, Judd, Kingsbury, Mackay, Meigs, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Schmitdner, Smith, Stannard, Sutton, Winter, Young and Mr. Speaker—37.

Those who voted in the negative, were

Messrs. Baldwin, Ballantine, Barden, Bettis, Brooks, Burt, Cobb, Dickson, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Langland, McMichael, Miller, Mitchell, Moore, Robertson, Rogers, Seaton, Spottswood, Upson, VanderCook, Weage, Westby, Wescott, Whittlesey, Whiting and Wood—31.

Mr. Elmore moved to insert after the enacting clause of

No. 11, S.,

The matter contained in

No. 412, A.,

Mr. Judd moved to amend the amendment by substituting the matter contained in the bill reported by the select committee of three, to No. 412, A.;

The ayes and noes were called for, and

The amendment to the amendment was lost, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bouck, Bow, Cole, Coles, Dockry, Fairchild, Griffin, Griswold, Hartung, Hayden, Hesk, Horn, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Ruan, Schmidtner, Simpson, Smith, Stannard, Sutton, VanderCook and Mr. Speaker—38.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Boyay, Brooks, Burt, Child, Cobb, Dickson, Elmore, Fischer, Golden, Goodwin, Grover, Hammarquist, Holton, Horton, Howland, Langland, McMichael, Mitchell, Moore, Patchin, Phillips, Robertson, Rogers, Seaton, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Whiting, Winter, Wood and Young—41.

Mr. Holton moved to amend the proposition of Mr. Elmore, as follows :

“ Amend sec. 3, by adding subdivision No. 11 ;

"11th. All *bona fide* debts owing by any person, company, or corporation, may be deducted from the gross amount of credits, excepting bonds and mortgages belonging to such person, company, or corporation; and the person making out the statement of his personal property to be given to the assessor need only set forth the amount of his credits remaining after such deduction. But no person, company, or corporation shall be entitled to any deduction on account of any bond, note, or other obligation given to any mutual insurance company, nor on account of any unpaid subscription to any religious, literary, scientific, or benevolent institution or society."

On this amendment,

The ayes and noes were called for and ordered, and

The amendment was lost by the following vote:

Those who voted in the affirmative were

Messrs. Bovay, Bugh, Goodwin, Holton, Mitchell, Moore, Palmer, Phillips, Weage, Westby, Wheeler and Mr. Speaker —11.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Bouck, Bow, Brooks, Burt, Child, Cobb, Cole, Coles, Dockry, Elmore, Fairchild, Fischer, Golden, Green, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Horn, Horton, Howland, Hunkins, Jackson, Judd, Keogh, Kingsbury, Langland, Mackay, McMichael, Meigs, Miller, Mulholland, Munn, Nash, Neville, Ordway, Robertson, Rogers, Ruan, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wescott, Whittlesey, Whiting, Winter, Wood and Young —67.

Mr. Griswold moved to amend by striking out section 34;

Which was agreed to.

The question then occurring on Mr. Elmore's motion to amend

No. 11, S.,

By inserting after the enacting clause thereof the matter of No. 412, A.,

The ayes and noes were called for and ordered;

And the amendment was adopted,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Bouck, Bovay, Brooks, Burt, Child, Cobb, Cole, Dockry, Elmore, Farwell, Fischer, Golden, Goodwin, Griswold, Hartung, Holton, Horton, Howland, Humann, Hunkins, McMichael, Miller, Nash, Neville, Ordway, Patchin, Robertson,

Rogers, Seaton, Spottswood, Upson, Weage, Westby, Wescott, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—47.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bugh, Coles, Dickson, Fairchild, Green, Griffin, Hammarquist, Hesk, Horn, Jackson, Kingsbury, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Palmer, Ruan, Schmidtner, Limpson, Smith, Stannard, Sutton, Townsend, VanderCook and Wheeler—29.

On motion of Mr. Griswold,

The rules were suspended in order to pass

No. 11, S., a bill for an act to amend chap. 167, of the Gen. Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes;

As amended.

The ayes and noes being called for,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Betts, Beath, Bouck, Bovay, Bow, Brooks, Burt, Child, Cobb, Cole, Elmore, Farwell, Fischer, Golden, Goodwin, Griswold, Grover, Hartung, Holton, Horton, Howland, Langland, McMichael, Miller, Nash, Neville, Ordway, Patchin, Robertson, Rogers, Seaton, Spottswood, Sumner, Upson, Westby, Wescott, Whittlesey, Winter, Wood, Young and Mr. Speaker—46.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bugh, Coles, Dickson, Dockry, Fairchild, Green, Griffin, Hammarquist, Hayden, Hesk, Horn, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Mackay, Meigs, Mitchell, Moore, Mulholland, Munn, Palmer, Phillips, Ruan, Schmidtner, Simpson, Smith, Stannard, Sutton, Townsend, VanderCook and Wheeler—36.

The title was amended so as to read

A bill for an act to amend chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes," and the acts amendatory thereof.

On motion of Mr. Elmore,

The vote by which the Assembly, on Saturday last, struck out the enacting clause of

No. 129, A., a bill for an act relating to the Milwaukee county court, and to the terms of the Milwaukee circuit court;

Was reconsidered,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barden, Barnum, Bettis, Bovay, Brooks, Bugh, Burt, Cole, Dickson, Elmore, Farwell, Fischer, Golden, Griswold, Hayden, Holton, Horton, Judd, Keogh, Langland, McMichael, Miller, Moore, Nash, Ordway, Robertson, Rogers, Schmidtner, Spottswood, Stannard, Sumner, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—42.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Beath, Bouck, Bow, Coles, Dockry, Fairchild, Goodwin, Green, Griffin, Grover, Hartung, Hesk, Horn, Howland, Humann, Hunkins, Jackson, Kingsbury, Meigs, Mitchell, Mulholland, Munn, Neville, Palmer, Rankin, Ruan, Simpson, Sutton, Townsend, Upson, VanderCook and Winter—34.

On motion of Mr. Palmer,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file;

Mr. Ordway in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file of bills, had made progress therein, and report back the following bills with the several recommendations, and ask leave to sit again;

Leave was granted.

No. 252, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels and to repeal chapter 150, of Revised Statutes;

With amendment.

No. 221, A., a bill for an act to incorporate religious Societies;

And

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county;

Without amendment.

No. 523, A., a bill for an act to repeal chapter 148, of the General Laws of 1858, exempting sixty days' earnings to mechanics and laborers;

With recommendation to strike out the enacting clause.

On motion of Mr. Alden,

The rules were suspended in order to put upon its passage

No. 228, S., a bill for an act to appropriate to the State Prison Commissioner the sum of \$25,000;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Bouck, Boray, Bow, Brooks, Burt, Cobb, Cole, Coles, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Holton, Howland, Humann, Jackson, Judd, Langland, McMichael, Meigs, Miller, Mitchell, Moore, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schneider, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Weage, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—54.

Those who voted in the negative, were

Messrs. Althaus, Horton, Keogh and Ruan—4.

The State Prison committee, to whom was referred bill

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

And bill,

No. 634, A., a bill for an act restoring Charles W. Mains to citizenship,

Have had the same under consideration, and direct me to report the same back with the recommendation that they do pass.

ALBERT ALDEN.

F. W. HORN,

C. MILLER.

The committee on Enrolled Bills, report that they have examined and compared the following bill, and find the same correctly enrolled, to-wit:

No. 443, A., an act to incorporate the Mequon Farmers Mutual Insurance Company.

C. MILLER, *Clk.*

Mr. Griswold moved to take a recess till 7 1-2 o'clock.

On motion of Mr. Dockry,

The Assembly adjourned.

TUESDAY, MARCH 27th, 9 o'clock, A. M.

Assembly met.

The Speaker in the Chair.

Rev. Mr. McWright officiated as chaplain.

On motion of Mr. Alden,

The reading of the journal of yesterday, was dispensed with.

LETTERS, PETITIONS, MEMORIALS, &c.,

Presented and referred.

By Mr. Palmer:

Mem. No. 356, A., of Walter S. Babcock;

To committee on Hospital for the Insane.

ACCOUNTS,

Presented and referred.

By Mr. Fairchild:

No. 95, A., the account of J. B. Bowen;

To committee on Claims.

RESOLUTIONS INTRODUCED,

By Mr. Hunkins:

Res. No. 138, A.,

Whereas, The crops of the State are liable to suffer severely, in any season, from drought, and it is claimed that the judicious use of ground gypsum, or land plaster, will remedy this evil in a very great degree; and that it is a great fertilizer, producing a marked increase when properly applied, of which we have very little information derived from experience in this State.

Therefore,

Resolved, That the Secretary of State be instructed to solicit information on this subject, and for that purpose shall be authorized to offer a reward of two hundred dollars for the best treatise on this subject, based on actual application and use of plaster on the soil, and crops within this State, and the comparative result of the production of crops arising therefrom, and the report thereof to be made to the next Legislature;

Lies over.

RESOLUTIONS CONSIDERED

Res. No. 136, A.,

Limiting time of speaking,

Introduced yesterday by Mr. Mitchell;

Was laid on the table.

Res. No. 137, A.,

Providing for correction of newspaper orders;

Introduced by committee on Printing, yesterday,

Was laid on the table.

BILLS, &c.,

Introduced on leave granted, read first and second times, and referred.

By Mr. Whittlesey,

No. 639, A., a bill for an act to postpone the tax sale in Douglas county.

On motion of Mr. Whittlesey,

The rules were suspended, and said bill

Was read the third time and passed.

By Mr. Smith:

No. 640, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Watertown, for the years 1856-7 and 8;

To the Jefferson county delegation.

By Mr. Howland:

No. 641, A., a bill for an act to prohibit stealing in the city of Madison;

To committee on Judiciary.

By Mr. Farwell;

No. 642, A., a bill for an act to amend an act entitled an act to amend an act to incorporate the Mutual Life Insurance Company of the city of Madison;

To committee on State Affairs.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report, that they have examined the following bills, and find them correctly engrossed under rule 48:

No. 570, A., a bill for an act for the relief of Loren Peterson;

No. 573, A., a bill for an act to protect the State against loss, by the withdrawal in certain cases of banking securities deposited with the State Treasurer;

No. 590, A., a bill for an act to appropriate to William F. Porter, the sum of \$73,75;

No. 591, A., a bill for an act to appropriate to E. G. Garner, the sum of \$50,25.

M. HOWLAND, *Ch'n.*

The committee on Engrossed Bills respectfully report, that they have examined and compared the following bills, and find them correctly engrossed:

No. 212, A., a bill for an act to empower cities, towns and villages, to grant the use of the streets therein, to certain Railway Companies;

No. 332, A., a bill for an act to protect certain counties, cities, towns and villages;

No. 491, A., a bill for an act to amend chapter 149, of the General Laws of 1859;

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 559, A., a bill for an act to amend section 3, of chapter 80, of the Revised Statutes, entitled of Agriculture.

M. HOWLAND, *Ch'n.*

The committee on State Prison, to whom was referred

No. 262, A., a bill for an act to amend chap. 188, of the Revised Statutes, entitled "of the State Prison;"

With a substitute, have had said bill under consideration, and report the same back, with a recommendation that it be indefinitely postponed.

ALBERT ALDEN, *Ch'n.*

The committee on Town and County Organization, to whom was referred

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

Also,

Mem. No. 313, A., and No. 312, A., for the removal of the county seat of Dunn county;

Have considered the same and report the same back with the recommendation that it do pass.

J. P. DICKSON,
A. GREEN,
ELVA SIMPSON.

The committee on Railroads, to whom was referred

No. 620, A., a bill for an act to authorize the village of Winneconne to aid in the construction of railroads;

Have had the same under consideration, and have instructed me to report said bill back to the Assembly, without amendment.

WM. E. WHEELER, C'm.

The committee on Judiciary to which was referred

No. 554, A., a bill for an act to amend section 10, of chap. 7, of the Revised Statutes, entitled "of general and special elections:

Have had the same under consideration, and have instructed me to report the same back to the Assembly and recommend its passage.

AMASA COBB, C'm.

The committee on Enrolled Bills report that they have examined the foregoing bills and find them correctly enrolled:

No. 553, A., a bill for an act to incorporate the Fort Howard and Appleton Railroad Company;

No. 551, A., a bill for an act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

No. 550, A., a bill for an act to authorize the Commercial Bank to reduce its capital stock and remove its place of business;

No. 550, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 93, of the Private and Local Laws of 1858, entitled an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;"

No. 554, A., a bill for an act to extend the time for the collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;"

No. 551, A., a bill for an act providing for a lien for labor and service upon logs and lumber in certain counties;

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

No. 588, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money in Brown county;

No. 589, A., a bill for an act to repeal chapter 208, of the Private Laws of 1856, entitled "an act granting the right to keep and maintain a ferry across the Mississippi river in Buffalo county;"

No. 514, A., a bill for an act to authorize the construction of a bridge across the Fox river at Wright's ferry, in Wrightstown, in Brown county;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 604, A., a bill for an act to amend chapter 92, of the General Laws of 1860, entitled "an act to amend chapter 131, of the Private and Local Laws of 1857, entitled 'an act to incorporate the city of Mineral Point;'"

No. 382, A., a bill for an act to provide for the expenditure of drainage fund moneys in the county of Marathon;

No. 290, A., a bill for an act to appropriate to Hitchcock & Co. the sum of \$1,242.25;

Said bills were signed by the Speaker.

C. MILLER, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq. Chief Clerk thereof:

MR. SPEAKER:—

I am directed to inform you that the Senate has passed:

No. 155, S., a bill for an act to authorize the Secretary of State to purchase additional copies of the sixth and seventh volume of the Wisconsin Reports;

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the passage of

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled "of appeals, writs of error, and proceedings thereon."

I am also directed to inform you that the Senate has refused to pass

No. 275, A., a bill for an act to amend sections 69 and 70, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes."

I am further directed to inform you that the Senate has indefinitely postponed

No. 41, A., a bill for an act regulating practice in the foreclosure of mortgages in certain cases, where parties are unknown; and

No. 348, A., a bill for an act to provide for the proper burial of the dead.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed

No. 280, S., a bill for an act to authorize the State Prison Commissioner to draw money from the State treasury;

No. 270, S., a bill for an act to provide for the auditing of claims and accounts against the State;

No. 259, S., a bill for an act to lay out a road from Eau Claire, in Eau Claire county, via Fall City and Downsville, to Eau Galla, in Dunn county;

No. 281, S., a bill for an act to authorize the State Prison Commissioner to purchase or sell land, as therein named;

No. 241, S., a bill for an act to provide for the payment of the chaplains to the Legislature for the year 1860;

No. 258, S., a bill for an act to authorize Burrage B. Dows to keep and maintain a boom upon Red Cedar River;

No. 291, S., a bill for an act to amend chapter 28, of the Revised Statutes, entitled "of common schools;"

No. 157, S., a bill for an act to enable the village of Manitowoc to build and maintain a bridge across the Manitowoc river;

No. 300, S., a bill for an act to repeal section 3, of chapter 210, of the General Laws of 1859, entitled an act to provide a permanent school library fund;

No. 266, S., a bill for an act to lay out a State road therein named;

No. 260, S., a bill for an act to legalize the acts of the Bristol Cemetery Association;

No. 246 1-2, S., a bill for an act to repeal sec. 2, of chap. 197, of Laws of 1859, entitled an act in relation to evidence and limitation in certain cases;

No. 140, S., a bill for an act to amend chapter 167, of the Revised Statutes, entitled of offences against public justice;

No. 6, S., memorial to Postmaster General for reinstatement of service on route 13,031;

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the passage of

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes in the county of Trempeleau;

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to La Crosse;

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200;

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with its bondholders;

No. 384, A., a bill for an act to amend section 53, of chapter 140, of the Revised Statutes, entitled of miscellaneous proceedings in civil actions, and general provisions;

No. 188, A., a bill for an act relating to the estate of T. J. VanderBrock;

No. 374, A., a bill for an act to amend chapter 127, of the R. S., entitled of arrest and bail;

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Revised Statutes, entitled "Of prisons generally and common jails;"

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of

No. 313, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a House of Refuge, for juvenile delinquents in the State of Wisconsin;

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled, "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes;

No. 233, A., a bill for an act to equalize the State tax for Brown county;

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled "of the manner of commencing civil actions;"

With amendments,

In which the concurrence of the Assembly is requested.

I am further directed to present to you for signature

No. 282, S., a bill for an act to appropriate the sum of \$25,000 to the State Prison commissioners;

Said bill was signed by the Speaker.

On motion of Mr. Elmore,

No. 638, A., relative to courts of conciliation;

Was ordered printed.

Mr. Dickson moved to reconsider the vote by which the Assembly yesterday refused to order engrossed,

No. 471, A., a bill for an act to repeal sections 41 and 55, of chapter 133, of the Revised Statutes, entitled "costs and fees," and acts amendatory thereto;

Mr. Neville moved to lay the motion to reconsider on the table.

The ayes and noes were called for and ordered, and

The motion was laid on the table,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Ballantine, Barnum, Bartlett, Blackman, Bouck, Bovay, Bow, Brooks, Burt, Cobb, Elmore, Fairchild, Farwell, Golden, Goodwin, Griswold, Hartung, Hayden, Horn, Keogh, Kingsbury, Mitchell, Munn, Nash,

Neville, Ordway, Palmer, Rankin, Ruan, Smith, Sumner, Sutton, Townsend, Weage, Whittlesey, Winter and Wood—39.

Those who voted in the negative, were

Messrs. Ahlhauser, Baldwin, Barden, Bettis, Beath, Child, Cole, Coles, Dickson, Dockry, Griffin, Hammarquist, Hesk, Horton, Howland, Humann, Jackson, Judd, Langland, McKay, Moore, Mulholland, Patchin, Phillips, Robertson, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Upson, VanderCook, Wescott, Wheeler, Whiting, Young and Mr. Speaker—37.

SENATE MESSAGE CONSIDERED.

No. 127, S., a bill for an act to amend chapter 13, of Revised Statutes, entitled "county and county officers;"

Was read first and second times, and

Referred to general file.

TAKEN FROM THE GENERAL FILE.

The rules were suspended, and

No. 318, A., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvements; and to repeal section 4, of sub-division 6, chapter 183, of the Private and Local Laws of 1857, entitled "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof;"

Was taken up,

The amendment was adopted, and

The bill was read the third time, and passed.

BILLS ON THEIR THIRD READING.

The following Senate bills were severally read the third time and concurred in :

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

No. 272, S., a bill for an act to provide for the holding the annual school meeting in school district No. 4, of the town of East Troy;

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 237, S., an act to annex a part of the county of Chippewa to the county of Dallas;

No. 28, S., a bill for an act concerning judgments in certain cases;

No. 216, S., a bill for an act to appropriate to James M. Flower the sum of \$177;

The ayes and noes being required,

The bill was passed,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barden, Barnum, Bartlett, Bettis, Bovay, Bow, Brooks, Burt, Child, Cobb, Cole, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Munn, Neville, Phillips, Robertson, Rogers, Schmidtner, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wescott, Whittlesey, Winter, Wood, Young and Mr. Speaker—51.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Ballantine, Beath, Bouck, Coles, Dockry, Hesk, Horn, Humann, Keogh, Kingsbury, Mulholland, Nash, Ordway, Palmer, Ruan, Season, Spottswood, Weage, Wheeler and Whiting—22.

No. 215, S., a bill for an act to appropriate to James M. Maus, the sum of \$25;

The ayes and noes being required,

The bill was concurred in by the following vote:

Those who voted in the affirmative were,

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury, and Ruan—6.

No. 263, S., a bill for an act to appropriate to Wm. Edgar, the sum of \$15,25;

The ayes and noes being required,

The bill was concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn,

Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury and Ruan—6.

No. 265, S., a bill for an act to appropriate to S. S. Keyes the sum of \$23;

Those who voted in the affirmative were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury and Ruan—6.

No. 296, S., a bill for an act to appropriate to Rufus Parks the sum of \$40.

The ayes and noes being required,

The bill was concurred in

By the following vote:

Those who voted in the affirmative were,

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury and Ruan—6.

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$68;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were,

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upsog, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury, and Ruan—6.

No. 306, S., a bill for an act to appropriate to Thomas Gill the sum of \$30;

The ayes and noes being required,

The bill was concurred in by the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upsog, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative, were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury and Ruan—6.

No. 307, S., a bill for an act to appropriate to Thos. Knudsen the sum of \$38;

The ayes and noes being required,

The bill was concurred in by the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton,

Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative, were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury and Ruan—6.

No. 308, S., a bill for an act to appropriate to Wm. J. Gill, the sum of \$42;

Those who voted in the affirmative were

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury, and Ruan—6.

No. 309, S., a bill for an act to appropriate to Francis Henwood, the sum of \$80;

The ayes and noes being required,

The bill was concurred in

By the following vote:

Those who voted in the affirmative were,

Messrs. Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Burt, Child, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Green, Griffin, Griswold, Hammarquist, Hartung, Hesk, Horn, Humann, Judd, Langland, Mackay, McKay, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Weage, Wescott, Wheeler, Whittlesey, Whiting, and Mr. Speaker—61.

Those who voted in the negative were

Messrs. Ahlhauser, Dockry, Elmore, Howland, Kingsbury, and Ruan—6.

The Assembly refused to concur in

No. 30, S., a bill for an act to provide for the service of process on non-resident defendants in certain cases;

By the following vote:

Those who voted in the affirmative, were

Messrs. Ballantine, Bartlett, Beath, Cobb, Howland, Langland, Mitchell, Moore, Phillips, Rogers, Seaton, Spottswood, Upson, VanderCook, Wescott, Whittlesey, Wood and Mr. Speaker—18.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Altenhofen, Baldwin, Barden, Barnum, Bettis, Blackman, Bouck, Bovay, Bow, Brooks, Burt, Cole, Coles, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Humann, Jackson, Judd, Keogh, Kingsbury, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Rankin, Ruan, Schmidtner, Sutton and Winter—48.

BILLS READY FOR A THIRD READING.

The following Assembly bills were read a third time and passed:

No. 590, A., a bill for an act to appropriate to Wm. F. Porter, the sum of \$73,75;

The ayes and noes being required,

The bill was passed

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Baldwin, Barnum, Bettis, Bouck, Bovay, Bow, Brooks, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Hartung, Hesk, Holton, Horn, Humann, Hunkins, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Winter, Young and Mr. Speaker—65.

Mr. Howland voted in the negative.

No. 573, A., a bill for an act to protect the State against loss by the withdrawal, in certain cases, of banking securities deposited with the State treasurer;

No. 570, A., bill for an act for the relief of Lorin Peterson;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Baldwin, Barnum, Bettis, Bouck, Bovay, Bow, Brooks, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Hartung, Hesk, Holton, Horn, Hu-

mann, Hunkins, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmitdner, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Winter, Young and Mr. Speaker—65.

Mr. Howland voted in the negative.

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50 25;

The ayes and noes being required,

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Baldwin, Barnum, Bettis, Bouck, Bovay, Bow, Brooks, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Green, Griswold, Hartung, Hesk, Holton, Horn, Humann, Hunkins, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Schmidter, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Townsend, Upson, VanderCook, Wheeler, Whittlesey, Whiting, Winter, Young and Mr. Speaker—65.

Mr. Howland voted in the negative.

The Assembly refused to pass

No. 559, A., a bill for an act to amend section 3, of chapter 80, of the Revised Statutes, entitled "of agriculture;"

By the following vote;

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baiaentine, Barnum, Boack, Bow, Bugh, Burt, Cole, Coles, Dickson, Dockry, Elmore, Golden, Griswold, Hartung, Hayden, Hesk, Holton, Humann, Hunkins, Keogh, Kingsbury, Langland, McKay, Moore, Nash, Ordway, Palmer, Robertson, Ruan, Schmidtnr, Seaton, Spottswood, Upson, Weage, Whiting and Winter—38.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Barden, Bartlett, Bettis, Beath, Blackman, Bovay, Child, Cobb, Fairchild, Farwell, Goodwin, Griffin, Hammarquist, Horn, Howland, Jackson, Judd, Mackay, McMichael, Miller, Mitchell, Mulholland, Munn, Neville, Patchin, Rankin, Rogers, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, VanderCook, Wescott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—42.

On motion of Mr. Munn,

The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the special order, being

No. 272, A., a bill for an act granting to the Madison, Portage city and Lake Superior Railroad Co., certain lands to aid in the construction of a railroad, and to repeal and annul a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company;

Mr. Cobb in the chair.

After sometime spent therein, the committee rose, and by their chairman reported that they had had under consideration No. 272, A.,

And report the bill back to the Assembly, with several amendments.

On motion of Mr. Bouck,

The Assembly took a recess until 3 o'clock, this afternoon.

3 o'clock, P. M.

The Assembly was called to order by the Speaker.

The following communication from Wm. Welch was read:

MADISON, Wis., March 27, 1860.

To the Hon. W. P. LYON,

Speaker of the Assembly:

I herewith request the use of the Hall of the Assembly, on the evening of the 29th inst., for the purpose of publicly reading the speech of Daniel Webster in reply to Col. Hayne, of South Carolina, delivered in the Senate of the United States, 26th January, 1830.

And that you will make known this request, by laying this communication before the body over which you preside.

I am, truly yours,

WILLIAM WELCH.

Mr. Westby had leave of absence for two days.

On motion of Mr. Bugh,

No. 127, S.,

Was referred to committee on Town and County Organization.

BILLS INTRODUCED ON LEAVE,

Read first and second times and referred.

By Mr. Whittlesey:

No. 643, A., a bill for an act in relation to certain towns in St. Croix county;

To committee on Incorporations.

By Mr. Humann:

No. 644, A., a bill for an act to change the name of Maria Elizabeth Hannan to Maria Elizabeth Faika, and to establish her heirship;

To committee on Incorporations:

By Mr. Wheeler:

No. 645, A., a bill for an act to appropriate to N. L. Andrews a certain sum of money therein named;

To committee on Claims.

REPORTS OF COMMITTEES.

The committee on State Lands, to whom was referred

No. 32, S., a bill for an act granting certain swamp and overflowed lands to the counties of Crawford, Bad Ax and La-Crosse;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without recommendation.

WM. C. McMICHAEL, *Ch'n.*

The delegation from Sheboygan county, to whom was referred

No. 611, A., a bill for an act to amend chapter 218, of the Private and Local Laws of 1859, entitled "an act to amend section 6, of chapter 6, of the Private and Local Laws of 1852, entitled 'an act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan river;

Have had the same under consideration, and report the same back to the Assembly and recommend its passage.

Mr. Kingsbury dissenting.

O. ROGERS,
E. W. STANNARD.

The joint select committee, to whom was referred No. 855, A., memorial of Alexander Mitchell, and signed by 260 others, asking for the exemption of all personal property belonging and necessary for manufacturing purposes, from taxation for the term of ten years;

Have had the same under consideration, and report the same back with the recommendation that it be referred to general file, and to accompany bill No. 475, A., reported a few days ago, for this purpose, by the same committee.

L. A. SCHMIDTNER,
E. W. YOUNG,
E. W. STANNARD,
Of Assembly Com.
E. L. PHILLIPS,
Of Senate Com.

REPORT OF THE COMMITTEE OF THE WHOLE,

Was taken up, and

No. 272, A., a bill for an act granting to the Madison, Portage City and Lake Superior Railroad Company, certain lands to aid in the construction of a railroad, and to repeal and annul a grant of land heretofore made to the LaCrosse and Milwaukee Railroad Company;

Being under consideration,

Mr. Munn moved to amend the substitute reported by the committee of the Whole, by striking out all after section 1, and inserting as a substitute, the matter of the bill reported by the committee on Railroads.

Mr. Alden moved a call of the House,

Which was sustained;

The roll was called, and

The following members were found to be absent without leave:

Messrs. Bunn, Clise, DeWolf, Johnson, Kiefer and Wiley.

The Sergeant-at-arms proceeded to summon the absentees.

On motion of Mr. Alden,

Further proceedings under the call were dispensed with.

The question being on Mr. Munn's motion to amend the substitute of Mr. Dockry, by striking out all after section 1, and inserting the matter of the bill reported by the committee on Railroads;

Mr. Palmer called for a division of the question.

Mr. Bartlett was excused from voting, having paired off with Mr. Lewis.

The ayes and noes were called for and ordered, and

The Assembly refused to strike out;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Barden, Beath, Blackman, Bouck, Bovay, Bow, Child, Dickson, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Jackson, Langland, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Phillips, Robertson, Rogers, Ruan, Seaton, Spottswood, Sutton, Wescott, Wheeler, Whittlesey, Whiting, Young and Mr. Speaker—37.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barnum, Bettis, Brooks, Bugh, Burt, Cobb, Cole, Coles, Dockry, Elmore, Green, Griffin, Hartung, Hayden, Hesk, Holton, Horn, Howland, Humann, Hunkins, Judd, Keogh, Kingsbury, Mackay, McKay, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Schmidtner, Simpson, Smith, Sumner, Townsend, Upson, VanderCook, Weage, Winter and Wood—44.

Mr. Alden moved to lay the substitute on the table;

The ayes and noes were called for, and

The Assembly refused to lay on the table by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Barnum, Bettis, Burt, Cole, Coles, Elmore, Griffin, Hartung, Hayden, Holton, Horn, Howland, Hunkins, Judd, Kingsbury, Langland, Mackay, McKay, Nash, Neville, Ordway, Palmer, Patchin, Simpson, Smith, Stannard, Sumner, Upson, Weage, Winter, Young and Mr. Speaker—36.

Those who voted in the negative were

Messrs. Ahlhauser, Barden, Beath, Blackman, Bouck, Bovay, Child, Cobb, Dickson, Dockry, Fairchild, Farwell, Golden, Goodwin, Griswold, Hesk, Horton, Humann, Jackson, Keogh, McMichael, Miller, Moore, Mulholland, Munn, Phillips, Rankin, Rogers, Ruan, Schmidtner, Seaton, Spottswood, Sutton, Townsend, VanderCook, Wescott, Wheeler, Whittlesey, Whiting and Wood—40.

Mr. Munn moved to refer the whole matter to the committee on Railroads.

Mr. Cobb moved to amend by referring the matter to a select committee of three with instructions:

Mr. Munn accepted the amendment;

Mr. Horn moved to lay the motion to refer upon the table, and

The ayes and noes being called for and ordered,

The motion to refer was laid on the table

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Barnum, Bettis, Bovay, Brooks, Burt, Cole, Coles, Dickson, Elmore, Green, Griffin, Hartung, Hayden, Hesk, Holton, Horn, Howland, Hunkins, Judd, Kingsbury, Mackay, McKay, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Simpson, Smith, Stannard, Sumner, Upson, Weage, Whittlesey, Winter, Young and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Barden, Beath, Blackman, Bouck, Bow, Child, Cobb, Dockry, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, Humann, Jackson, Keogh, Langland, McMichael, Miller, Mitchell, Moore, Mulholland, Munn, Phillips, Rogers, Ruan, Schmidtner, Seaton, Spottswood, Sutton, Townsend, VanderCook, Wescott, Wheeler, Whiting and Wood—40.

Mr. Elmore moved to indefinitely postpone the whole matter.

The ayes and noes were called for and ordered,

After some debate upon the question,

Mr. Miller called for the previous question,

Which was ordered, and

The question, "shall the main question be now put?"

Was decided in the affirmative.

The question now being on the motion of Mr. Elmore;

To indefinitely postpone the whole matter,

It was indefinitely postponed—by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Barnum, Bettis, Brooks, Bugh, Burt, Child, Cole, Coles, Dickson, Elmore, Green, Griffin, Hartung, Hayden, Hesk, Holton, Howland, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Langland, Lewis, Mackay, McKay, Moore, Mulholland, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Simpson, Smith, Stannard, Sumner, Townsend, Upson, Weage, Whittlesey, Winter, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Ahlhauser, Barden, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Cobb, Dockry, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horton, McMichael, Miller, Mitchell, Munn, Phillips, Rogers, Spottswood, Sutton, VanderCook, Wescott, Wheeler, Whiting and Wood—30.

Mr. Palmer moved to reconsider the vote by which

No. 272, A.,

Was indefinitely postponed, and moved to lay the motion to reconsider on the table;

Which was agreed to.

Mr. Horn moved that

No. 451, A., a bill for an act to execute the trust created by an act of Congress, entitled "an act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June 3, 1856, by incorporating the Winnebago and Superior Railroad Company, and granting a portion of said lands thereto;

Be taken up for consideration.

Which was agreed to.

Mr. Judd moved to indefinitely postpone the bill.

The ayes and noes were called for and ordered, and

The bill was indefinitely postponed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Beath, Blackman, Bouck, Bow, Brooks, Bugh, Burt, Child, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Golden, Green, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Horn, Horton, Howland, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Lewis, Mackay, McKay, Miller, Moore, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Schmidtner, Simpson, Smith, Stannard, VanderCook, Weage, Wheeler, Whittlesey, Winter, Wood and Young—63.

Those who voted in the negative were

Messrs. Bartlett, Goodwin, Mitchell, Rogers, Sumner, Upson, Wescott and Whiting—8.

Mr. Elmore moved that the rules be suspended, in order to permit him to introduce a bill;

Which was agreed to, and

Mr. Elmore introduced

No. 646, A., a bill for an act to amend chapter 18 of the Revised Statutes entitled "of the assessment and collection of taxes," and the acts amendatory thereof;

Which was read first and second times, and

Referred to general file.

REPORTS OF COMMITTEES.

The joint committee on Enrolled Bills, report that on the 27th inst., presented to the Governor, for his approval, the following bills:

No. 431, A., an act concerning the coupons of the capitol extension bonds issued by the city of Madison;

No. 380, A., an act prescribing the place of filing chattel mortgages on certain classes of property;

No. 372, A., an act to authorize the commissioners of school and university lands, to refund certain sums of money to Joseph Goldsmith;

No. 174, A., an act to amend section 1, of chapter 118, of the general Laws of 1859, entitled "of the liens of mechanics and others;"

No. 470, A., an act to organize the count of Ashland;

No. 592, A., an act to repeal section 2, of chapter 119 of the Private and Local Laws of 1858, entitled an act to amend chapter 132, of the Private and Local Laws of 1857, entitled "an act to incorporate the city of Appleton."

No. 443, A., an act to incorporate the Mequon Farmers' Mutual Insurance Company.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled, to wit:

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200;

No. 189, A., a bill for an act to authorize the towns, cities, and villages, of the county of Dodge to retain license moneys in their town, city or village treasuries;

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

MESSAGE FROM THE SENATE

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed

No. 301, S., a bill for an act to provide for the government of the Wisconsin State Hospital for the Insane, and for other purposes;

No. 305, S., a bill for an act to amend section 13, of chapter 94, of General Laws of 1859, entitled "an act to amend and consolidate chapter 22, of the Revised Statutes, entitled of academies and normal schools," and chapter 139, of the acts of a general nature of 1859.

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the passage of

J. Res. No. 22, A.,

In relation to grants of public lands to actual settlers, and to passage of the Homestead Bill;

No. 355, A., a bill for an act to vacate a certain street in the village of Waukau, Winnebago county;

No. 163, A., a bill for an act to regulating the rights of miners and persons digging for lead ore;

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

No. 354, A., a bill for an act to amend an act entitled an act to incorporate the Peshtigo Lumbering and Manufacturing Co., approved Oct. 11th, 1856, and the acts amendatory thereto;

And,

No. 369, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved Feb. 24th, 1859;

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

No. 42, A., a bill for an act exempting certain university lands from taxation;

And,

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

With amendments, and asks the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has indefinitely postponed

No. 359, A., a bill for an act to amend section 9, chapter 2, of an act entitled an act to incorporate the city of Fond du Lac.

I am also directed to inform you that the Senate has concurred in the Assembly amendment to bill

No. 318, S., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvement, and to repeal section 4, of subdivision 6, of chapter 133, of the Private and Local Laws of 1857, entitled "an act to consolidate and amend the act and incorporate the city of Kenosha," and the several acts amendatory thereof.

EXECUTIVE MESSAGE.

STATE OF WISCONSIN, EXECUTIVE OFFICE,
MADISON, March 27, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to amend an act entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on account of the same, and for the protection of the settlers on the even sections," approved October 3d, 1856;

An act to appropriate to H. Bingham the sum of \$20;

An act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

An act to amend section 1, of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sale of forfeited lands;"

An act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan Bridge Company;"

An act to legalize the assessment of taxes in the county of La Pointe, and to extend the time for the payment thereof;

An act for the preservation of game;

An act to authorize the Corn Planter's Bank, of Waupaca, to reduce its capital stock, and remove its place of business;

An act to incorporate the Thiensville Fire Engine Company;

An act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river in said county;

An act to change the boundaries of the town of Watertown, in Jefferson county;

An act to appropriate to Milo Coles the sum of \$50 98;

An act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menomonee river;

An act to legalize the organization and proceedings of the trustees of the Baptist society in the village of Lowell, Dodge county;

An act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston," approved May 8th, 1858;

An act to repeal an act conferring civil jurisdiction on the

County Court of Monroe county, approved March 11th, 1859;

An act providing for an increase of highway tax in the county of Richland; •

An act to extend the time for publication and sale of unredeemed lands in the counties of Eau Claire and Chippewa;

An act to amend an act entitled "and act to incorporate the city of Ripon," approved March 20th, 1858;

An act to appropriate to the Commissioners of the State Reform School the sum of money therein named;

An act providing for the bringing of suits upon sheriff's bonds;

An act to repeal chapter 124, of the General Laws of 1858 entitled "an act conferring jurisdiction on the County Court of Columbia County;

An act to amend chapter 18, of the Revised Statutes entitled "of the assessment and collection of taxes;"

An act to authorize the village of Menasha to aid in construction of railroads;

An act to amend section 1, of chapter 113, of the General Laws of 1859 entitled "of the liens of mechanics and others;"

An act to authorize the commissioners of school and university lands to refund certain sums of money to Joseph Goldsmith;

An act prescribing the place for filing chattel mortgages on certain classes of property;

An act concerning the coupons of the Capitol extension bonds issued by the city of Madison;

An act to organize the county of Ashland;

An act to repeal section 2, of chapter 119, of the Private and Local Laws of 1857 entitled "an act to amend chapter 132, of the Private and Local Laws of 1858, entitled 'an act to incorporate the city of Appleton.'"

ALEXANDER W. RANDALL.

Mr. Horn moved that the Assembly adjourn;

Lost.

Mr. Bouck moved to adjourn till 7 1 2 o'clock;

Agreed to, and

The Assembly adjourned.

7 1-2 o'clock, P. M.

The Assembly was called to order by the Speaker.

Mr. Bow moved that the rules be suspended, in order to take up and put upon its passage

No. 539, A., a bill for an act to remove the county seat of Green Lake county;

Which was agreed to and said bill

No. 539, A.,

Was read the third time and passed.

ACCOUNT,

Presented and referred to committee on Claims.

By Mr. Fairchild:

No. 96, A., account of C. N. Kittridge.

BILLS INTRODUCED ON LEAVE.

Read first and second times and referred:

By Mr. Goodwin:

No. 647, A., a bill for an act to purchase certain documents in German language, and to provide for the payment thereof;

To committee on Claims.

By Mr. Fairchild:

No. 648 A., a bill to change the names of Francis²Gallagher and Thomas Gallagher;

To Judiciary committee.

BILLS TAKEN FROM GENERAL FILE.

On motion of Mr. Palmer,

The rules were suspended, in order to take up

No. 563, A., a bill for an act to amend chapter 199, of the Private and Local Laws of 1859, entitled "an act to establish a municipal court in the city and county of Milwaukee," approved March 18, 1859;

Mr. Palmer moved to amend by an additional section:

Sec. —. The bond required to be given by the clerk of the said municipal court by section 2, of the act of which this act is amendatory, shall also be conditioned, that he shall account for, and pay over to the persons who shall be entitled thereto, all officers and witness fees, and all other moneys which may come to his hands. Any failure of said clerk to pay into the

city treasury, quarterly, as required by law, any moneys which may come to his hands, and which by law are required to be paid into the city treasury, shall be sufficient cause for the removal of said clerk, by the judge of said court. All costs and fees accruing in cases in said court, shall be taxed by the clerk thereof, under the direction of the judge of the court;

Which was adopted.

Mr. Dockry moved to amend by striking out the words "Common Council of the city," where they occur in said section 6, and insert in lieu thereof, "county Board of Supervisors of the county;"

• Which was adopted.

Mr. Dockry moved further to amend by adding to section 6;

Sec. 7. Sec. 28 of said act is hereby amended by striking out words "one half," where they occur in said section, and insert in lieu thereof the words "one fourth;"

Sec. 8. This act shall take effect and be in force from and after its passage;

Which was lost.

Said bill

No. 563, A.,

Was then ordered engrossed for a third reading;

Mr. Holton moved that the rules be suspended to take up

• No. 568, A., a bill to facilitate and authenticate a corporation, by the purchase of the Milwaukee and Mississippi Railroad Company;

Mr. Phillips moved to amend by including

No. 384, S.,

Which was lost.

The question being on Mr. Holton's motion,

No. 568, A.,

Was taken up, read a third time and passed.

On motion,

No. 212, A., a bill for an act to empower cities, towns and villages to grant the use of streets therein to certain Railway Companies, was recommended to Judiciary committee.

REPORT OF COMMITTEES.

The committee on the Judiciary, to whom was referred bill, No. 566, A., a bill for an act to change the name of Mary W. Richmond,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, with the recommendation that the enacting clause thereof, be stricken out.

AMASA COBB, *Clk'n.*

The committee on the Judiciary, to whom was referred bill, No. 324, S., a bill for an act to amend section 79, of chapter 133, of the Revised Statutes,

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend that the further consideration of said bill, be indefinitely postponed.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred bill, No. 120, S., a bill for an act relative to proceedings in county courts, in certain cases,

Have had the same under consideration, and have instructed me to report it back to the Assembly, and recommend its passage.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments, and recommend the passage of said bills respectively, when so amended, viz:

No. 637. A., a bill for an act providing for the filing of an official oath and bond of the County Judge of Polk County;

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled "of notaries public;"

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature, of 1858, being a part of chapter 129, of the Revised Statutes entitled "of injunctions and writs of *ne exeat* and of receivers."

AMASA COBB, *Ch'n.*

The several amendments to bill

No. 12, S.,

Excepting the amendment striking out section 2 of said bill,
Were agreed to,

And said bill was ordered to its third reading.

The Jefferson county delegation, to whom was referred bill No. 640, A., a bill for an act to provide the assessment of certain taxes in the city of Watertown, for the years 1856, 1857 and 1858;

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

HEBER SMITH, *Ch'n.*

On motion of Mr. Smith,

The rules were suspended, and
Said bill was read a third time, and passed.

The committee on Claims to whom was referred, accounts;
No. 88, A., the account of Edward Gibbs, for lighting gas
in the Assembly Chamber;

No. 89, A., the account of Edward Gibbs, for gas fixtures
for the use of the State;

No. 90, A., the account of Burt Brett, for protecting State
lands;

No. 95, A., the account of J. B. Bowen, for hardware;

Have had the same under consideration and have instructed
me to report them back by bills

No. 649, A., a bill for an act to appropriate to Edmund
Gibbs, the sum of \$85,18;

No. 650, A., a bill for an act to appropriate to Burt Brett,
the sum of \$49,75;

No. 651, A., a bill for an act to appropriate to J. B. Bowen,
the sum of \$26,13;

And recommend the passage of said bills.

Also,

No. 48, A., a bill for an act relating to the fire department
in the cities and villages of this State, and to amend chapter
190, of the General Laws of 1859, entitled, "an act to regu-
late insurance companies not incorporated by the State of Wis-
consin;

Have considered said bill and report it back with the recom-
mendation that it be indefinitely postponed.

Weage, dissenting.

HEBER SMITH, *Ch'n*

Bills Nos. 649, 650 and 651, A.,

Were read twice, and sent to the general file.

The Assembly refused to indefinitely postpone

Bill No. 48, A.,

And said bill,

No. 48, A.,

Was read a third time,

And passed

By the following vote:

Those who voted in the affirmative were,

Messrs. Ahlhauser, Baldwin, Barden, Barnum, Barlett,
Bouck, Bow, Bugh, Coles, Dickson, Farwell, Golden, Goodwin,
Griffin, Hayden, Holton, Horton, Howland, Keogh, Kings-
bury, Langland, McMichael, Miller, Mitchell, Nash, Ord-
way, Palmer, Patchin, Phillips, Rankin, Robertson, Ruan,

Schmittner, Simpson, Smith, Weage, Wescott, Wood and Mr. Speaker—39.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Bettis, Beath, Blackman, Bovay, Brooks, Burt, Cobb, Cole, Dockry, Elmore, Griswold, Hammarquist, Hartung, Hesk, Humann, Hunkins, Jackson, Judd, Mackay, Moore, Mulholland, Munn, Rogers, Seaton, Spottswood, Stannard, Sumner, Upson, VanderCook, Wheeler, Whittlesey, Whiting and Young—35.

BILLS ON THEIR THIRD READING.

The following bills were severally read the third time and passed;

No. 332, A., a bill for an act to protect certain counties, cities, towns and villages;

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 491, A., a bill for an act to amend chapter 149, of the General Laws of 1859;

The ayes and noes being called for and ordered,

The Assembly refused to pass the bill, by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Dockry, Goodwin, Griswold, Humann, Robertson, Seaton, Simpson, Sumner, Upson and Wescott—12.

Those who voted in the negative, were

Messrs. Baldwin, Ballentine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Brooks, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Farwell, Golden, Griffin, Hammarquist, Hartung, Hesk, Holton, Horton, Howland, Jackson, Judd, Keogh, Kingsbury, Langland, Mackay, McMichael, Miller, Mitchell, Moore, Mulholland, Nash, Neville, Ordway, Palmer, Rogers, Ruan, Schmittner, Smith, Spottswood, Stannard, Townsend, VanderCook, Weage, Wheeler, Whittlesey, Winter, Wood, Young and Mr. Speaker—56.

The committee on the Judiciary, to whom was referred bill No. 212, A., entitled "a bill for an act to empower cities, towns and villages to grant the use of the streets therein to certain railway companies," have had the same under consideration, and have instructed me to report the same back to the Assembly with an amendment, and recommended its passage when amended.

DAVID S. ORDWAY.

Said bill,
No. 212, A.;

Mr. Alden moved that the petition be spread at length upon the journal, and

The ayes and noes being called for and ordered,

Mr. Miller moved to lay the whole matter on the table.

On motion of Mr. Munn,

The memorial was referred to the committee on Banks and Banking.

RESOLUTIONS INTRODUCED,

By Mr. Judd:

Res. No. 139, A.,

Resolved, That resolution, No. 20, A., on slavery and colonization, be taken from the table and put upon its passage;

Lies over.

RESOLUTIONS CONSIDERED.

Res. No. 138, A.,

In regard to applying ground plaster,

Introduced by Mr. Hunkins yesterday;

Was referred to committee on Agriculture.

Mr. Palmer moved that the rules requiring bills to be considered in committee of the Whole, be suspended for the day, and that bills in the general file be considered in their order.

Which was adopted.

REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred, No. 643, A., a bill for an act in relation to certain towns in St. Croix county;

Have had the same under consideration, and

Report the same back to the Assembly, with recommendation that it do pass.

No. 644, A., a bill for an act to change the name of Maria Elizabeth Hanan to Maria Elizabeth Faika, and to establish her heirship;

Have had the same under consideration, and

Report the same back to the Assembly without recommendation, and ask to be discharged from further consideration thereof.

E. W. YOUNG.

The committee on Banks and Banking to whom was referred No. 317, S., a bill for an act for the relief of the Frontier Bank, and for its removal to Juneau, Dodge county;

Have had the same under consideration, and have instructed me to report the same back without recommendation.

WM. GRISWOLD, *Ch'n.*

The committee on Town and County Organization, to whom was referred

No. 227, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled of counties and county officers;

Have duly considered the same, and are of the opinion that the amendments proposed by said bill to chapter 13, of Revised Statutes are not advisable.

The county board of supervisors of the several counties in this State, in the opinion of your committee, are better judges of their local wants and necessities than the Legislature, and that it would be unwise to interfere, at this late day of the session, whith the law conferring upon them certain local legislative powers, as it now does.

Your committee therefore report said bill back to the Assembly, and recommend its indefinite postponement.

DICKSON,
BUGH,
McMICHAEL,
GREEN,
SIMPSON,

The committee on Town and County Organization, to whom was referred

No. 127, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled counties and county officers;

Have considered the same, and report the same back without recommendation. Your committee entertaining different views in regard to this bill, and as the change proposed by this bill in the county supervisor system, is a subject that your committee are of the opinion the house is as divided in their opinion on the passage of this bill, as your committee, and herewith return the bill to the Assembly for their action.

J. P. DICKSON, *Ch'n.*

The committee on Education, School and University Lands, have had under consideration

No. 209, S., a bill for an act to amend section 106, of chap. 18, of the Revised Statutes, entitled "of the school and university lands;

And report the same back with recommendation of passage.

E. D. HOLTON,
JAMES CHILD,
M. B. PATCHIN.

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the passage of

J. Res. No. 29, A.,

In relation to grants of public lands to actual settlers, and to passage of the Homestead Bill;

No. 575, A., a bill for an act to vacate a certain street in the village of Waukau, Winnebago county;

No. 169, A., a bill for an act to regulating the rights of miners and persons digging for lead ore;

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage found moneys in Jefferson county;

No. 354, A., a bill for an act to amend an act entitled an act to incorporate the Peshtigo Lumbering and Manufacturing Co., approved Oct. 11th, 1856, and the acts amendatory thereto;

And,

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved Feb. 24th, 1859;

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

No. 42, A., a bill for an act exempting certain university lands from taxation;

And,

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

With amendments, and asks the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has indefinitely postponed

No. 359, A., a bill for an act to amend section 9, chapter 2, of an act entitled an act to incorporate the city of Fond du Lac.

I am also directed to inform you that the Senate has concurred in the Assembly amendment to bill

No. 318, S., a bill for an act to authorize the city of Kenosha to levy a special tax for harbor improvement, and to repeal section 4, of subdivision 6, of chapter 133, of the Private and Local Laws of 1857, entitled "an act to consolidate and amend the act and incorporate the city of Kenosha," and the several acts amendatory thereof.

EXECUTIVE MESSAGE.

STATE OF WISCONSIN, EXECUTIVE OFFICE,
MADISON, March 27, 1860.

To the Assembly:

The following entitled bills, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to amend an act entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the State on account of the same, and for the protection of the settlers on the even sections," approved October 3d, 1856;

An act to appropriate to H. Bingham the sum of \$70;

An act to amend chapter 40, of the Local Laws of 1859, entitled "an act to authorize the city of Milwaukee to assess water rents;"

An act to amend section 1, of chapter 178, of the General Laws of 1859, entitled "an act establishing the fees for the publication of the sale of forfeited lands;"

An act to amend chapter 210, of the Private and Local Laws of 1859, entitled "an act to incorporate the Boscobel and Manhattan Bridge Company;"

An act to legalize the assessment of taxes in the county of La Pointe, and to extend the time for the payment thereof;

An act for the preservation of game;

An act to authorize the Corn Planter's Bank, of Waupaca, to reduce its capital stock, and remove its place of business;

An act to incorporate the Thiensville Fire Engine Company;

An act to authorize the county of Eau Claire to keep and maintain a free ferry across the Chippewa river in said county;

An act to change the boundaries of the town of Watertown, in Jefferson county;

An act to appropriate to Milo Coles the sum of \$50 98;

An act to amend an act entitled "an act to authorize the laying out of a State road from the town of Howard, Brown county, to the Menomonee river;

An act to legalize the organization and proceedings of the trustees of the Baptist society in the village of Lowell, Dodge county;

An act to amend chapter 226, of the Private and Local Laws of 1858, entitled "an act to incorporate the village of Kingston," approved May 8th, 1858;

An act to repeal an act conferring civil jurisdiction on the

Said bill,
No. 209, S.,
Was ordered to third reading.

The committee on State Affairs, to whom was referred
No. 642, A., a bill for an act to amend an act entitled an
act to amend an act to incorporate the Mutual Life Insurance
Company, of the city of Madison;

Have had the same under consideration, and report the same
back and recommend its passage.

L. J. FARWELL, *Ch'n.*

The committee on State Affairs, to whom was referred
Petition of C. L. Green and others, of Brookfield, Wauke-
sha county, for a tax on dogs;

Mem. No. 258, A., a petition for for an act for the protec-
tion of fish in the Catfish river;

Mem. No. 217, A., a memorial from the voters of the town
of Boscobel, in Grant county, for the passage of a law authori-
zing them to vote a special tax for highway purposes;

Mem. No. 247, A., a remonstrance, signed by D. T. Pakrer
and seventy others, legal voters, of Boscobel, in Grant county,
against the passage of a law, authorizing a special tax for high-
way purposes;

No. 83, A., a bill for an act to authorize the treasurer of
Dodge county, and direct him to apportion license money to
the towns of Le Roy and Theresa, in said county, for the
purpose of highways and bridges;

Also,

Mem. No. 288, A., petition of N. E. Turner and others, of
Ozaukee county, asking the reduction of the salary of circuit
judges to \$1,500;

Have had the same severally under consideration and report
them back with the recommendation that further consideration
thereof be indefinitely postponed.

L. J. FARWELL, *Ch'n.*

The select committee to whom was referred

No. 201, S., a bill for an act prescribing the duties of coun-
ty surveyors, in the subdivision of sections;

Having had the same under consideration, report it back
to the Assembly, with an amendment, and when amended, re-
commend that it do pass.

All of which is respectfully submitted.

A. E. BOVAY,
M. HOWLAND,
JAMES CHILD.

The committee consisting of the delegation from the city of Milwaukee, to whom was referred

No. 195, S., a bill for an act to re-annex certain lands to the towns of Wauwatosa, Greenfield, Lake and Milwaukee, in the county of Milwaukee;

Have had the same under consideration, and the undersigned report the same back to the Assembly with amendment, and without recommendation.

H. L. PALMER,
L. A. SCHMIDTNER,
EDWARD D. HOLTON,
E. G. HAYDEN,
EDWARD KEOGH,
THEO. HARTUNG,
P. DOCKRY.

The select committee to whom was referred

Bill No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns, to build and maintain a dam across the Pecatonica river;

Have had the same under consideration, and instruct me to report the same back to the Assembly, and recommend that the amendment thereto be concurred in.

W. S. WESCOTT, *Ch'n.*

The committee on Railroads to whom was referred

No. 256, S., a bill for an act to incorporate the Winslow and Amestown Railroad Company;

Have had the same under consideration, and have instructed me to report said bill back to the Assembly without amendment.

WM. E. WHEELER, *Ch'n.*

The committee has also considered

No. 430, A., a bill for an act to incorporate the Depere and Appleton Railroad Company;

And have instructed me to report the same back with the commendation that it be indefinitely postponed.

WM. E. WHEELER, *Ch'n.*

The committee have also instructed me to report back to the Assembly

Mem. Nos. 41, S., 225, A., and 161, A., Res. No. 74, A., and No. 34, A.;

And ask to be discharged from their further consideration.

WM. E. WHEELER, *Ch'n.*

SENATE MESSAGE CONSIDERED.

The following bills were severally read first and second times and referred to general file:

No. 155, S., a bill for an act to authorize the Secretary of State to purchase additional copies of the sixth and seventh volume of the Wisconsin Reports;

No. 280, S., a bill for an act to authorize the State Prison Commissioner to draw money from the State treasury;

No. 270, S., a bill for an act to provide for the auditing of claims and account against the State;

No. 259, S., a bill for an act to lay out a road from Eau Claire, in Eau Claire county, via Fall City and Downs ville, to Eau Galla, in Dunn county;

No. 281, S. a bill for an act to authorize the State Prison Commissioner to purchase or sell land, as therein named;

No. 244, S., a bill for an act to provide for the payment of the chaplains to the Legislature for the year 1860;

No. 258, S. a bill for an act to authorize Burrage B. Downs to keep and maintain a boom upon Red Cedar River;

No. 301, S., a bill for an act to provide for the government of the Wisconsin State Hospital for the Insane, and for other purposes;

No. 305, S., a bill for an act to amend section 13, of chap. 94, of General Laws of 1859, entitled an act to amend and consolidate chapter 22, of the Revised Statutes, entitled of academies and normal schools, and chapter 139, of the acts of a general nature of 1859;

No. 157, S., a bill for an act to enable the village of Manitowoc to build and maintain a bridge across the Manitowoc river;

No. 266, S., a bill for an act to lay out a State road therein named;

No. 260, S., a bill for an act to legalize the acts of the Bristol Cemetery Association;

No. 6, S., memorial to Postmaster General for reinstatement of service on route 13,031.

The following bills were severally referred

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled of the manner of commencing civil actions;

No. 246 1-2, S., a bill for an act to repeal sec. 2, of chapter 197, of Laws of 1859, entitled an act in relation to evidence and limitation in certain cases;

And,

No. 140, S., a bill for an act to amend chapter 167, of the Revised Statutes, entitled of offences against public justice;

To Judiciary committee.

No. 291, S., a bill for an act to amend chap. 23, of the Rev. Statutes, entitled of common schools;

And,

No. 300, S., a bill for an act to repeal section 3, of chapter 210, of the General Laws of 1859, entitled an act to provide a permanent school library fund;

To the committee on Education.

The Senate amendments to

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

And

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

No. 313, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled "an act to authorize the establishment of a House of Refuge for juvenile delinquents in the State of Wisconsin;

And

No. 42, A., a bill for an act to exempt certain university lands from taxation;

Were concurred in.

The Senate amendment to

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes;

Was non concurred in.

The Senate amendment to

No. 283, A., a bill for an act to equalize the State tax for Brown county;

Was concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Baldwin, Barden, Barnum, Bartlett, Betis, Blackman, Bouck, Bovay, Bow, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Hesk, Holton, Horton, Humann, Hunkins, Judd, Langland, Lewis, Mackay, McKay, McMichael, Mitchell, Moore, Mulholland, Lunn, Nash, Neville, Ordway, Palmer, Patchin, Rankin, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Tannard, Sumner, Sutton, Upson, VanderCook, Weage, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—67.

Those who voted in the negative were

Messrs. Griswold and Howland—2.

BILLS ON THIRD READING.

The following bill was read the third time, and concurred in:

No. 12, S., a bill for an act to amend chapter 12, of the Revised Statutes, entitled of Notaries Public;
With an amendment.

BILLS READY FOR THIRD READING.

The following bill was read the third time:

No. 129, A., a bill for an act relating to the Milwaukee county court, and to the terms of the Milwaukee circuit court;
Amended by striking out section 5,
And passed.
And

The title was amended by striking out the words "and to the terms of the Milwaukee circuit court."

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER :

I am directed to inform you that the Senate has indefinitely postponed

Jt. Res. No. 31, A., amending J. Res. No. 19, of the Senate and Assembly;

No. 232, A., a bill for an act to amend chapter 109, title 21, of the Revised Statutes, entitled of marriages, and to repeal chapter 110, of the Revised Statutes, entitled of the registration of marriages, births and deaths.

I am also directed to inform you that the Senate has concurred in the passage of

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 398, A., a bill for an act to vacate and extinguish the town of Orwell, in the county of Racine, and to attach the territory comprising the same, to the towns of Mt. Pleasant and Caledonia, in said county;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee;

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges:

No. 525, A., a bill for an act to authorize the city of Milwaukee to construct a certain bridge;

No. 583, A., a bill for an act to organize Shawano county for judicial purposes;

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

No. 639, A., a bill for an act to postpone the tax sale in Douglas county;

No. 613, A., a bill for an act to authorize the common council of the city of Milwaukee, to erect a breakwater in the third ward in said city;

No. 569, A., a bill for an act to incorporate the Milwaukee mutual laborer's relief society;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace of the county of Dane;

No. 304, A., a bill for an act to authorize the common council of the city of Milwaukee to apply a portion of a ward tax of the second ward to pay for the improvements of a public square in block 165, of said ward;

No. 155, A., a bill for an act to provide for the purchase of real estate, and the erection of suitable building thereon, for the use of the third ward, of the city of Milwaukee;

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of,

No. 25, A., a bill for an act to authorize the Bank of Oshosh to make and file new articles of association, and continue the banking business;

No. 521, A., a bill for an act to amend an act, entitled an act to incorporate the city of Racine, in the county of Racine, approved August 8th, 1848, and the several acts amendatory thereof;

With amendments; and the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has resolved to concur in the Assembly amendments to,

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection taxes;

I am further directed to inform you that the Senate has resolved

No. 255, S., a bill for an act to provide for an independent treasury;

No. 321, S., a bill for an act to amend chapter 81, of the Revised Statutes, entitled "of the State Historical Society;"

No. 332, S., a bill for an act to amend chapter 190, of Laws

of 1850, entitled "an act to authorize a loan to the University of Wisconsin;"

No. 173, S., a bill for an act to amend section 95, of chapter 18, of the Revised Statutes, entitled "of the assessment and collection of taxes," and sections 57 and 127, of the Revised Statutes, entitled "of counties and county officers;"

No. 326, S., a bill for an act to amend chapter 34, of the Revised Statutes, entitled of the relief of the poor;

No. 264, S., a bill for an act to appropriate to Josiah W. Seely the sum of \$36 25;

No. 271, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes;

And asks the concurrence of the Assembly therein.

REPORTS OF COMMITTEES.

The joint committee on Enrolled Bills, report that on the 27th inst., they presented to the Governor for his approval the following bills:

No. 259, A., a bill for an act to incorporate the Fort Howard and Appleton Railroad Company;

No. 531, A., a bill for an act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

No. 350, A., a bill for an act to authorize the Commercial Bank to reduce its capital stock and remove its place of business;

No. 289, A., a bill for an act to amend chapter 97, of the Private and Local Laws of 1859, entitled "an act to amend chapter 93, of the Private and Local Laws of 1858, entitled an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;"

No. 584, A., a bill for an act to extend the time for the collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;"

No. 571, A., a bill for an act providing for a lien for labor and service upon logs and lumber in certain counties;

No. 447, A., a bill for an act to amend chapter 2, of the Revised Statutes, entitled "of the division of the State into counties, and their boundaries;"

No. 388, A., a bill for an act to provide for the disposal and expenditure of the drainage fund money in Brown county;

No. 589, A., a bill for an act to repeal chapter 268, of the Private Laws of 1856, entitled "an act granting the right to

keep and maintain a ferry across the Mississippi river in Buffalo county;"

No. 514, A., a bill for an act to authorize the construction of a bridge across the Fox river at Wright's ferry, in Wrightstown, in Brown county;

No. 444, A., a bill for an act to incorporate the Tyrone Lake Canal Company;

No. 604, A., a bill for an act to amend chapter '92, of the General Laws of 1860, entitled an act to amend chapter 131, of the Private and Local Laws of 1857, entitled an act to incorporate the city of Mineral Point;

No. 382, A., a bill for an act to provide for the expenditure of drainage funds moneys in the county of Marathon;

No. 290, A., a bill for an act to appropriate to Hitchcock & Co. the sum of \$1,242 25;

Said bills were signed by the Speaker.

GEO. BENNETT, *Sen. Com.*

C. MILLER, *Ass. Com.*

The joint committee on Enrolled Bills, report that on the 7th inst., they presented to the Governor for his approval, the following bills:

No. 34, S., a bill for an act to authorize the service of process by publication in certain cases;

No. 36, S., a bill for an act providing for grand and petit juries in this State, and to amend sections 3, 8 and 13, of chapter 118, Revised Statutes, entitled "of grand and petit juries;"

No. 342, S., a bill for an act to amend an act entitled an act appropriate the islands in the Wisconsin river between a line running parallel with the fourth principal meridian, ten miles east thereof, and a line running parallel with said meridian, ten miles west thereof, to the Muscoda and Richland Bridge Company;

No. 267, S., a bill for an act to provide for the laying out a state road therein named;

No. 334, S., a bill for an act to provide for publishing the re-elected and treasurer's lists in certain towns in Sauk county, in *Pioneer and Wisconsin*;

No. 347, S., a bill for an act to change the time for holding an annual election for city and ward officers in the city of Racine, for the year 1860;

No. 282, S., a bill for an act to appropriate the sum of \$5,000 to the State Prison Commissioner.

G. BENNETT, *of Senate.*

C. MILLER, *of Assembly.*

The joint committee on Enrolled Bills, report that on the 28th inst., they presented to the Governor for his approval, the following bills:

No. 529, A., a bill for an act to appropriate to O. G. Scofield the sum of \$200;

No. 189, A., a bill for an act to authorize the towns, cities, and villages of the county of Dodge, to retain license moneys in their town, city or village treasuries;

No. 32, A., a bill for an act to change the name of Archy Arnett, and to constitute him an adopted son of William and Mary Collins.

GEO. BENNETT, *of Senate Com.*

C. MILLER, *of Assembly Com.*

Mr. Bovay moved that Senator Davis be allowed to read the report of the joint committee of Investigation, before the Assembly.

Mr. Smith moved to amend by making the reading of the report the special order for this evening at 7 1-1 o'clock.

Mr. Ordway moved to lay the motion on the table.

The Assembly refused to lay upon the table

The question occurring on the motion of

Mr. Smith,

It was agreed to;

And the reading of the report was made the special order this evening at 7 1-2 o'clock.

Mr. Clise had leave of absence for an indefinite time.

REPORT OF THE COMMITTEE OF THE WHOLE,

Considered.

The following bills were ordered to be engrossed for a third reading:

No. 221, A., a bill for an act to incorporated religious societies;

No. 269, A., a bill for an act to appropriate to the Institute for the Education of the Deaf and Dumb, and the Institute for the Education of the Blind of the State of Wisconsin, certain sums of money therein named;

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled of courts held by justices of the peace;

No. 252, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of R. S.

Mr. Bouck moved that the enacting clause be stricken out;

The Assembly refused to strike out.

On motion of Mr. Weage,

Section 12 was amended by adding the following: "and to ships, boats and vessels in Root river, in the county of Racine.

On motion of Mr. Neville

The amendment of Mr. Weage was amended by adding after word "Racine," "and in the waters of the county of Brown;"

And the bill was ordered to be engrossed.

The substitute to

No. 150, A., a bill to amend section 22, chapter 182, of the Revised Statutes, entitled of issues made of trial and judgment in civil actions,

Was adopted, and the bill was ordered to be engrossed.

No. 480, A., a bill for an act to protect the widows and orphans;

The Assembly refused to order engrossed,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Baldwin, Barden, Bettis, Blackman, Bow, Bugh, Dockry, Elmore, Goodwin, Griffin, Grover, Hammarquist, Hartung, Holton, Howland, Humann, Keogh, Langland, Meigs, Mitchell, Mulholland, Nash, Patchin, Robertson, Ruan, Schmidtner, Simpson, Stannard, Sutton, Townsend, Upson, Weage, Wescott, Wheeler, Whiting and Winter—37.

Those who voted in the negative were

Messrs. Altenhofen, Ballantine, Barnum, Bartlett, Beath, Bouck, Bovay, Brooks, Burt, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Golden, Green, Griswold, Hayden, Jackson, Judd, Kingsbury, Lewis, Mackay, McKay, McMichael, Miller, Moore, Munn, Neville, Ordway, Palmer, Phillips, Rogers, Seaton, Smith, Spottswood, Sumner, VanderCook, Whitelsey, Wood, Young and Mr. Speaker—43.

The enacting clause to

No. 523, A., a bill for an act to repeal chapter 148, of the General Laws of 1858, exempting sixty days earnings to mechanics and laborers.

Was stricken out.

Mr. Goodwin asked leave to introduce a resolution;

Objected to.

Mr. Goodwin moved a suspension of the rules, in order to enable him to introduce the resolution;

The Assembly refused to suspend the rules.

SENATE MESSAGE CONSIDERED.

The Senate refuses to concur in the Assembly amendment to No. 11, S., a bill for an act to amend chapter 167, of the

General Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes;

The Assembly refused to recede

By the following vote:

Those who voted in the affirmative were,

Messrs. Ballantine, Bartlett, Blackman, Bovay, Cobb, Dickson, Golden, Goodwin, Hammarquist, Holton, Horton, Howland, Langland, McKay, Mitchell, Moore, Nash, Phillips, Spottswood, Upson, VanderCook, Weage, Wescott and Wheeler—24.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Baldwin, Barden, Barnum, Bettis, Beath, Bouck, Bow, Brooks, Burt, Child, Cole, Dockry, Elmore, Fairchild, Farwell, Green, Griffin, Grover, Hartung, Hayden, Hesk, Horn, Humann, Jackson, Judd, Kingsbury, Mackay, McMichael, Meigs, Miller, Mulholland, Munn, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Stannard, Sumner, Sutton, Townsend, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—57.

And the Assembly insisted upon its amendment,

The Senate amendments to.

No. 25, A., a bill for an act to authorize the bank of Oshkosh to make and file new articles of association and continue the banking business;

And

No. 521, A., a bill for an act to amend an act entitled an act to incorporate the city of Racine, in the county of Racine, approved August 8, 1848, and the several acts amendatory thereof;

Were concurred in.

On motion of Mr. Mulholland,

The Assembly took a recess till 3 o'clock.

3 o'clock, P. M.

The Assembly was called to order by the Speaker.

The bill under discussion when the Assembly took a recess was

No. 321, A., a bill for an act to amend chapter 81, of the Revised Statutes, entitled of the State Historical Society;

Mr. Griswold moved to amend by striking out all after the enacting clause, and insert

Sec. 1. All acts and parts of acts making any appropriation to, or for the use of the State Historical Society, or any officer thereof, or for any printing or furnishing any document, report, or any other thing of, or for said society, is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its passage and publication.

The ayes and noes were called for, and ordered;

Mr. Holton moved to amend the amendment by striking out all after the words "section 1," of the amendment, and insert in lieu thereof, the following words:

"Chapter 81, of the Revised Statutes, entitled of the State Historical Society, is hereby repealed."

This act shall take effect and be in force from and after its passage and publication.

The ayes and noes being called for and ordered,

The Assembly refused to amend the amendment by the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Bettis, Bovay, Brooks, Burt, Dockry, Hartung, Holton, Howland, Humann, Langland, Nash, Ordway, Palmer, Robertson, Rogers, Ruan, Simpson, Stannard, Sutton, Upson, Weage, Winter, Wood and Mr. Speaker—27.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Barden, Barnum, Bartlett, Beath, Blackman, Bouck, Boyd, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hayden, Hesk, Horn, Hunkins, Jackson, Judd, Keogh, Mackay, McKay, McMichael, Miller, Mitchell, Moore, Munn, Neville, Patchin, Phillips, Schmitdner, Seaton, Smith, Spottswood, Sumner, VanderCook, Westcott, Wheeler, Whittlesey, Whiting and Young—51

The question then occurring on Mr. Griswold's amendment,

The Assembly refused to amend by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bouck, Cobb, Dockry, Elmore, Griswold, Hartung, Hesk, Hunkins, Langland, Mackay, Moore, Nash, Ordway, Palmer, Robertson, Rogers, Ruan, Spottswood, Stannard, Sutton, Weage, and Mr. Speaker—27.

Those who voted in the negative were

Messrs. Ahlhauser, Bartlett, Bettis, Beath, Blackman, Bo-

vay, Boyd, Brooks, Burt, Child, Cole, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Holton, Horn, Humann, Jackson, Judd, Keogh, McKay, McMiceael, Meigs, Miller, Mitchell, Mulholland, Munn, Neville, Patchin, Phillips, Schmidtner, Seaton, Simpsen, Smith, Sumner, Townsend, Upson, VanderCook, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, and Young—52.

Mr. Munn moved to amend be adding as section five:

Sec. 5. Said society shall file with the Secretary of State, within twenty days from the passage of this act, an instrument in writing, accepting the conditions imposed by sections 2 and 3 of the same; *Provided*—that in case the said society do not file said instrument in writing, chapter 81, of the Revised Statutes, entitled of the Historical Society, be, and hereby is repealed; and

By changing section 5 to section 6;

The amendment was adopted.

Mr. Elmore moved to strike out all after the words section 1, and insert, "chapter 81, of the Revised Statutes, is hereby repealed."

Mr. Horn called for the previous question,

Which was ordered, and

The question being, shall the previous question be now put?

It was agreed to, and

The motion of Mr. Elmore being divided,

The question was on striking out,

The ayes and noes being called for, and

The Assembly refused to strike out by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bettis, Bouck, Bow, Bugh, Cobb, Dockry, Elmore, Griswold, Hartung, Hesk, Lolton, Horton, Howland, Hunkins, Langland, Mackay, Moore, Nash, Ordway, Robertson, Seaton, Spottswood, Stannard, Sutton, Weage, Winter and Mr. Speaker—32.

Those who voted in the negative were

Messrs. Ahlhauser, Bartlett, Beath, Blackman, Bovay, Boyd, Brooks, Burt, Child, Cole, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Horn, Humann, Jackson, Judd, Keogh, Kingsbury, McKay, Meigs, Miller, Mulholland, Munn, Neville, Palmer, Patchin, Phillips, Rankin, Rogers, Ruan, Schmidtner, Simpson, Smith, Sumner, Townsend, Upson, VanderCook, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—50.

The bill was then ordered to a third reading.

The following bills were then severally read the first and second times, and referred

To general file.

No. 326, S., a bill for an act to amend chapter 34, of the revised statutes, entitled of the relief of the poor;

No. 332, S., a bill for an act to amend chapter 190, of Laws of 1858, entitled an act to authorize a loan to the University of Wisconsin;

No. 173, S., a bill for an act to amend section 95, of chapter 18, of the revised statutes, entitled of the collection and assessmen, of taxes, and sections 57 and 127, of the revised statutes, entitled of counties and county officers;

No. 255, S., a bill for an act to provide for an Independent State Treasury;

No. 264, S., a bill for an act to appropriate to Josiah W. Seeley, the sum of \$36 25;

No. 271, S., a bill for an act to amend chapter 167, of the general laws of 1859, entitled an act to amend chapter 18, of the revised statutes, entitled of the assessment and collection of taxes.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled, to-wit:

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

No. 575, A., a bill for an act to vacate a certain street in the village of Waukau, Winnebago county;

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Revised Statutes, entitled of prisons generally and common jails;

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chine to LaCrosse;

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes, in the county of Trempeleau;

No. 384, A., a bill for an act to amend section 53, of chapter 140, of the Revised Statutes, entitled of miscellaneous proceedings in civil actions, and general provisions;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled of arrest and bail;

J. Res. No. 29, A.,

Relative to grants of public lands to actual settlers, and to passage of the homestead bill..

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee composed of the Delegation from Fond du Lac county to whom was referred

No. 582, A., a bill for an act to provide for the assessment of additional highway tax in the county of Fond du Lac;

Recommend that it be indefinitely postponed, as the object sought has been gained by another bill.

W. T. BROOKS, *Ch'n.*

The Waukesha county delegation, to whom was referred

No. 151, A.,

Have had the same under consideration, and report the same back with accompanying bill, and recommend its passage.

A. E. ELMORE,
A. ALDEN,
R. C. ROBERTSON,
Wm. R. HESK,
B. HUNKINS.

The same committee have had under consideration

Mem. No. 345, A.,

And report the same back with a bill, and recommend the passage thereof.

A. E. ELMORE,
A. ALDEN,
R. C. ROBERTSON,
Wm. R. HESK,
B. HUNKINS.

Said bills being respectively

No. 653, A., a bill for an act to amend chapter 19 of the Revised Statutes, entitled of Highways and bridges;

And

No. 654, A., a bill for an act to change the name of Frank Pagle, and to establish his guardianship and heirship:

Were read twice and placed on the general file.

The committee on Engrossed Bills respectfully report that they have examined the following bills and find them correctly engrossed, under rule 48:

No. 221, A., a bill for an act to incorporate religious societies;

No. 269, A., for an act to appropriate to the Institute for the education of the deaf and dumb, and the Institute for the blind, of the State of Wisconsin, certain sums of money therein named;

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled of courts held by justices of the peace.

M. HOWLAND, *Ch'n.*

The committee on Agriculture and Manufactures, to whom was referred

Res. No. 138, A.,

Respectfully beg leave to report that they have had the same under consideration, and upon reference to sec. 6, chap. 80, of the Revised Statutes, have come to the conclusion that the State Agricultural Society is vested with full power and authority, and that it is the imperative duty of said Society, to collect and disseminate the information required by the resolution and that the officers of said society are the most proper persons to perform the service required by the resolution.

We therefore report the resolution back to the Assembly without recommendation, and ask to be discharged from the further consideration thereof.

B. H. BETTIS,
E. SUMNER,
I. L. JACKSON,
A. WHITING.

The committee on Incorporations, to whom was referred bill No. 323, S., a bill for an act to establish terms of the circuit court in the counties of Crawford and Buffalo, in the Sixth Judicial Circuit;

Have had the same under consideration, and direct me to report the same back to the Assembly, and recommend its passage.

E. W. YOUNG.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof:

MR. SPEAKER:

I am directed to inform you that the Senate has passed

No. 350, S., a bill for an act to provide for levying a State tax for the year 1860;

And

No. 29, S., a bill for an act to authorize the Secretary of State to contract for necessary gas furnished for the use of the capitol and other State institutions in the city of Madison;

And ask the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has concurred in the passage of

J. Res. No. 32, A., in relation to the homestead bill in Congress.

MESSAGE FROM THE SENATE,

By J. II. WARREN, Esq. Chief Clerk thereof :

MR. SPEAKER:—

I am directed to inform you that the Senate has passed:

No. 339, S., a bill for an act to appropriate to B. Domschke the sum of \$155;

No. 344., S., a bill for an act to authorize the Chippewa Bank to reduce its capital;

No. 333, S., a bill for an act to enable the Regents of the State University to complete and furnish University Hall;

No. 331, S., a bill for an act to appropriate to Berliner & Brnno, the sum of \$20;

No. 39, S., a bill for an act to appropriate to D. A. Reed the sum of \$8;

No. 226, S., a bill for an act to provide for the disposal of the interest arising upon the drainage fund income, and to amend chapter 29, of Revised Statutes, entitled of swamp and overflowed Lands;

No. 312, S., a bill for an act to amend section 1, chapter 138 of the Revised Statutes, entitled of the limitations of actions;

No. 190, S., a bill for an act to amend chapter 6, of the Revised Statutes, entitled of the public printing and of the publication and distribution of the statutes and other public documents;

No. 340, S., a bill for an act to appropriate a contingent fund to school and University land commissioners;

No. 18, S., a bill for an act relating to garnishee process;

No. 327, S., a bill for an act to amend section 61, of chapter 23, of the Revised Statutes, entitled of school and university lands;

No. 336, S., bill for an act to amend section 30, of chapter 28, of the Revised statutes, entitled of common schools;

No. 355, S., a bill for an act restoring Charles W. Maines to citizenship;

No. 354, S., a bill for an act restoring Horatio Mains to citizenship;

No. 223, S., a bill for an act to amend an act entitled an act to make a temporary loan to the State University, approved March 21st, 1859;

No. 279, S., a bill for an act relating to the discipline of convicts in the State Prison;

No. 328, S., a bill for an act to amend sec. 17, of chapter 6, of the Revised Statutes, entitled of public printing and the publication and distribution of statutes and other public documents;

No. 245, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled of counties and county officers;

And asks the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has concurred in the passage of

Jt. Res. No. 4, A.,

Objecting to any change of the naturalization laws;

No. 543, A., a bill for an act to appropriate to A. G. Darwin the sum of \$257,56;

No. 489, A., a bill for an act to appropriate to Moseley & Brother, the sum of \$217,93;

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society, for the year 1856;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions;

No. 445, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Oconto county;

No. 455, A., a bill for an act to change the name of Sarah McCabe to Sarah Kate Graves;

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of

No. 465, A., a bill for an act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

And,

No. 403, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

With amendments, and asks the concurrence of the Assembly therein.

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,

Madison, Wis, March 20, 1860.

Hon. W. P. LYON, Speaker of the Assembly,

SIR: Replying to resolution No. 124, of the Assembly, I have the honor to state, that on the 14th day of February last, there was audited in favor of Hon. A. D. Smith an account, (one thousand dollars) for two hundred copies of the 7th vol. Wisconsin Reports, delivered to the State Librarian, pursuant to direction of section 4, of chapter 25, of Revised Statutes.

The State Librarian caused 191 copies, of the two hundred

above named, to be delivered at this office; and the same were receipted to him, and the care and distribution then assumed by me, at his request.

There have been distributed by mail, express and otherwise, from this office:

To the Governor of each State one copy, is	33	copies.
" " " Territory, "	5	"
Judge of each Circuit of this State, "	10	"
" " County "	54	"
Judge of the U. S. Dist. Court, "	1	"
State Librarian, on his order, 3 copies	3	"
Each of the State Officers, in and about the Capitol, 2 copies.....	12	"
<hr/>		
In all.....	118	"

The remaining copies will all be required to supply the colleges and incorporated Academies of this State, entitled to the same by provision of section 9, of chapter 26, of the Revised Statutes; retaining for the State Library the number required by *proviso* to the same section.

There is no record or memorandum, that I have been able to find, showing that the volumes of reports previous to the 7th, were received at or distributed through this office. There were no copies of any of these volumes, except the 1st and 2d, and one or two of the third, on hand when the office came in charge of the present incumbent; and I am informed that the State Library is not supplied with the number contemplated by the statute.

It would appear, from numerous letters received from county judges, accompanying receipts for the 7th volume, that county judges have not heretofore been considered among those entitled by law to receive the reports. On the other hand, the clerks of the courts in the respective counties claim, in repeated instances, that the practice has been to supply their offices.

I have received one or two letters from circuit judges, stating that the clerk's office in each county of their respective circuits, has been supplied with the previous volumes, and urging continuance of the custom as an almost indispensable convenience to the judges.

As I understand the direction of section 2, of chapter 25, revised statutes, the county judges *are* entitled to the reports; and I do *not* find any authority for supplying the clerks of the courts. It is submitted to the discretion of the Legislature, however, whether public convenience could be subserved to a greater extent by any other distribution than to the clerk of the court in each county of the State, and whether the legisla-

ture ought not to provide a sufficient number of copies, and direct such disposition of the same.

I have the honor to remain,

Very respectfully

Your obt. servant,

L. P. HARVEY,

Sec'y of State.

NOTE.—This reply was prepared some eight or ten days since, but has been inadvertently overlooked. L. P. H.

GENERAL FILE TAKEN UP,

Under suspension of the rules.

The following bills were severally ordered to a third reading:

No. 310, S., a bill for an act to appropriate to William Hawley, the sum of \$42;

No. 192, S., a bill for an act to incorporate the Mississippi bottom plank road and ferry company;

No. 177, S., a bill for an act to establish a highway therein described;

No. 55, S., a bill for an act to establish an official State paper;

Was amended, and ordered to a third reading.

Jt. Res. No. 6, S., relative to riots of Harper's Ferry,

Was laid on the table.

On motion of Mr. Smith,

The appropriation bills were taken from the general file, and ordered engrossed for a third reading.

No. 649, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$85 18;

No. 650, A., a bill for an act to appropriate to Burt Brett the sum of \$49 75;

No. 651, A., a bill for an act to appropriate to J. B. Bowen the sum of \$26 18;

No. 624, A., a bill for an act to appropriate to C. M. Marvin the sum of \$50;

No. 625, A., a bill for an act to appropriate to Church & Hawley the sum of \$23;

No. 626, A., a bill for an act to appropriate to R. G. Norton the sum of \$26 24;

No. 627, A., a bill for an act to appropriated to Andrew Bishop the sum of \$60;

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225;

No. 631, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

The Assembly refused to adopt the amendment of the committee to

No. 527, A., a bill for an act to appropriate to Francis Newland the sum of \$422 50;

No. 526, A., a bill for an act to appropriate Theodore Hartung the sum of \$52 50;

Was laid on the table.

The following bills were severally ordered engrossed for a third reading:

No. 493, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled of inquests of the dead;

No. 513, A., a bill for an act to provide for the holding of separate election polls in such towns this State as comprise two or more assembly districts.

The following bills were severally indefinitely postponed:

No. 228, S., a bill for an act to amend section 12, of chapter 111, of the Revised Statutes, entitled "of divorce;"

No. 197, S., a bill for an act to amend chapter 22, of the General Laws of 1859, entitled "an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 199, S., a bill for an act to amend chapter 151, of the Revised Statutes, entitled "of forcible entry and unlawful detainer;"

No. 415, A., a bill for an act to incorporate the La Crosse Medical College;

The substitute to

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

Was amended and adopted; and

Ordered to be engrossed for a third reading.

The substitute to

No. 292, A., a bill for an act to provide for the payment of mechanics and laborers employed on railroads and canals, and other public works in this State;

Was adopted, and

Ordered engrossed for a third reading.

The enacting clause of

No. 442, A., a bill for an act to amend chapter 138, of the Revised Statutes, entitled "of the limitation of actions;"

Was stricken out.

On leave, Mr. Goodwin introduced

Res. No. 140, A.,

Resolved, That the use of the Assembly Hall be extended

to Hon. T. O. Howe, for the purpose of delivering an address upon the subject of States Rights, on Thursday evening next;

The rules were suspended, and

The ayes and noes being called for and ordered,

The Assembly refused to adopt the resolution,

• By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Barnum, Bow, Boyd, Coles, Dockry, Fairchild, Goodwin, Griffin, Hartung, Hesk, Humann, Hunkins, Keogh, Kingsbury, Mackay, Meigs, Mulholland, Neville, Patchin, Ruan, Schmitdner, Simpson, Stannard, Wheeler, Winter, Wood and Mr. Speaker—29.

Those who voted in the negative, were

Messrs. Alden, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Brooks, Burt, Child, Cobb, Cole, Golden, Griswold, Hammarquist, Horn, Horton, Howland, Jackson, Judd, Langland, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Palmer, Rankin, Rogers, Seaton, Smith, Spottswood, Sumner, Upson, VanderCook, Weage, Wescott, Whittlesey, Wniting and Young—45.

On motion of Mr. Alden,

The Assembly took a recess until half past 7 o'clock.

7 O'CLOCK, P. M.

The Speaker called the Assembly to order.

On motion of Mr. Barden,

The rules were suspended, and

No. 572, A., a bill for an act for the preservation of fish in the counties of Manitowoc and Kewaunee;

And

No. 593, A., a bill for an act to provide for the disposal of the drainage fund in the county of Manitowoc;

Were taken up,

Read a third time and passed.

Mr. McMichael moved a suspension of the rules

To take up

No. 323, S., a bill for an act to establish terms of the cir-

cuit court in the counties of Crawford and Buffalo in the sixth judicial circuit;

Mr. Burt moved to amend the motion by including

No. 254, S., a bill for an act to create the town of Forsyth, and to amend chapter 880, of the Private and Local Laws, of 1857, incorporating the city of Berlin;

Mr. McMichael accepted the amendment,

And,

No's. 328, S., and 254, S.,

Were severally read the third time and concurred in.

Mr. Barden moved to reconsider the vote by which the Assembly refused yesterday to pass

No. 559, A., a bill for an act to amend section 3, of chapter 80, of the Revised Statutes entitled of agriculture;

Which motion was postponed until to-morrow.

The matter pending when the Assembly took a recess, being

No. 301, S., a bill for an act to provide for the government of the Wisconsin State Hospital for the insane and for other purposes;

The consideration of the bill was resumed;

The bill was amended, and

On motion of Mr. Palmer

The rules were suspended, and

The bill was read a third time and concurred in,

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bettis, Blackman, Bow, Brooks, Bugh, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hartung, Hayden, Hesk, Humann, Jackson, Judd, Keogh, McKay, McMichail, Meigs, Miller, Mitchell, Moore, Mulholland, Munn, Nash, Neville, Palmer, Patchin, Phillips, Robertson, Schmidtner, Seaton, Simpson, Smith, Sumner, Sutton Upson, VanderCook, Weage, Wescott, Wheeler, Winter, Young and Mr. Speaker—56.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Boyd, Dockry, Griswold, Hammarquist, Holton, Howland, Hunkins, Kingsbury, Ordway, Rankin, Rogers, Ruan, Stannard and Wood—15.

The rules were suspended, and

No. 532, A., a bill for an act to lay out a State road from Wausau to the State line north, and to make an appropriation therefor;

Was taken up, and the substitute was amended, and adopted as amended, read a thidr time, and

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Baldwin, Barnum, Bettis, Blackman, Bow, Brooks, Bugh, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Golden, Goodwin, Griffin, Hammarquist, Holton, Judd, Langland, Mackay, McMichael, Miller, Mitchell, Moore, Neville, Ordway, Patchin, Phillips, Robertson, Rogers, Simpson, Smith, Sumner, Upson, Westby, Wescott, Whittlesey, Whiting, Winter, Young and Mr. Speaker—46.

Those who voted in the negative, were

Messrs. Altenhofen, Ballantine, Barden, Beath, Bouck, Boyd, Dockry, Farwell, Griswold, Hesk, Howland, Humann, Hunkins, Kingsbury, Meigs, Mulholland, Munn, Nash, Palmer, Ruan, Schmidtner, Seaton, VanderCook, Wheeler and Wood—25.

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town;

Was read the third time,

And passed,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Baldwin, Barnum, Bettis, Blackman, Bovay, Boyd, Brooks, Bugh, Child, Cobb, Cole, Coles, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hammarquist, Hesk, Holton, Howland, Judd, Langland, McKay, McMichael, Mitchell, Mulholland, Neville, Patchin, Robertson, Rogers, Smith, Sumner, Upson, Weage, Wescott, Whittlesey, Whiting, Winter, Young and Mr. Speaker—43.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Barden, Beath, Bouck, Dockry, Griswold, Hayden, Humann, Hunkins, Kingsbury, Meigs, Moore, Munn, Nash, Ordway, Palmer, Ruan, Schmidtner, Seaton, Simpson, Spottswood, VanderCook, Westby, Wheeler and Wood—27.

On motion of Mr. McMichael,

The rules were suspended, and

No. 32, S., a bill for an act granting certain swamp and overflowed lands to the counties of Crawford, Bad Ax and La Rosse;

And

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Barraboo Valley Railroad Company;

Were taken up, read third time, and

No. 32, S.,

Was concurred in;

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Bartlett, Beath, Blackman, Cobb, Cole, Dickson, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hartung, Jackson, Judd, Langland, McKay, McKay, McMichael, Miller, Mitchell, Moore, Neville, Ordway, Phillips, Robertson, Rogers, Simpson, Smith, Sumner, Sutton, Weage, Wescott, Whittlesey, Whiting, Young and Mr. Speaker—39.

Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Barden, Barnum, Bouck, Brooks, Child, Dockry, Griswold, Hayden, Horton, Human, Keogh, Kingsbury, Meigs, Nash, Palmer, Kuan, Schmidtner, Seaton, Upson, VanderCook, Westby, Wheeler and Wood—26.

The substitute to

No. 504, A.,

Was amended and adopted,

Read the third time and passed.

On motion of Mr. Goodwin,

The rules were suspended in order to pass

No. 585, A., a bill for an act to amend chapter 23, of the revised statutes, entitled of common schools;

And the bill was read the third time and passed.

REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the revised statutes, entitled of the manner of commencing civil actions;

Have had the same under consideration, and have instructed me to report the same back to the Assembly, and with the recommendation that the Senate amendments to the said bill be concurred in.

AMASA COBB, *Ch'n.*

The Senate amendments to

No. 121, A.,

Were concurred in.

The committee on Claims to whom were referred

No. 330, A., a bill for an act to amend section 11, of chapter 188, of the revised statutes, entitled of the State Prison;

And substitute;

Have considered said bill and substitute, and report them back and recommend their indefinite postponement.

Also bills

No. 520, A., a bill for an act to appropriate to W. E. Cramer the sum of \$93;

No. 645, A., a bill for an act to appropriate to N. L. Andrews a certain sum of money therein named;

Have considered said bills and report them back and recommend their indefinite postponement.

HEBER SMITH, *Ch'n.*

The question being the indefinite postponement of

No. 330, A.,

The Assembly refused to indefinitely postpone;

And the substitute was adopted,

And ordered engrossed.

The committee on Claims, to whom was referred account

No. 93, A., the account of C. V. N. Kittridge, for merchandize, for use of State;

Have considered said account and report the same back by bill

No. 655, A., a bill for an act to appropriate to C. V. N. Kittridge, the sum of \$52,77;

And recommend the passage of said bill.

Also memorial

No. 315, A., the memorial of the Park Fire Insurance Co., to refund certain moneys paid the state;

Have considered said memorial and report it back to the Assembly with the recommendation that the relief be not granted.

Also,

No. 70, A., the account of N. L. Andrews, for services;

Have considered said account and report it back with the recommendation that it be disallowed.

HEBER SMITH, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 252, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of R. S;

No. 563, A., a bill for an act to amend chapter 199, of the Private and Local Laws of 1859, entitled an act to establish a Municipal Court in the city and county of Milwaukee, approved March 18th, 1859.

M. HOWLAND, *Ch'n.*

The committee on the Judiciary, to whom was referred

No. 640, A., a bill for an act to change the name of Francis Gallaher and Thomas Gallaher;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the enacting clause thereof be stricken out.

AMASA COBB, *Ch'n.*

The committee on Engrossed Bills respectfully report that they have examined the following bills, and find them correctly engrossed under rule 48:

No. 150, A., a bill for an act to amend section 22, chapter 132, of the Revised Statutes, entitled "of issues, mode of trial and judgment in civil actions;"

No. 292, A., a bill for an act to provide for the payment of mechanics and laborers employed on railroads, canals and other public works in this State;

No. 498, A., a bill for an act to amend chapter 84, of the Revised Statutes, entitled "of inquests of the dead;"

No. 518, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise two or more Assembly districts;

No. 527, A., a bill for an act to appropriate to Francis W. Newland the sum of \$422 50;

No. 601, A., a bill for an act to appropriate to Mygatt and Schmitdner, the sum of \$200;

No. 617, A., a bill for an act to appropriate to L. H. D. Crane, the sum of \$225.

No. 624, A., a bill for an act to appropriate to C. M. Marvin, the sum of \$50;

No. 625, A., a bill for an act to appropriate to Church and Hawley, the sum of \$23;

No. 625, A., a bill for an act to appropriate to R. G. Norton, the sum of \$26 24;

No. 627, A., a bill for an act to appropriate to Andrew Bishop, the sum of \$60;

No. 649, A., a bill for an act to appropriate to Edmund Gibbs, the sum of \$85 18;

No. 650, A., a bill for an act to appropriate to Burt Brett, the sum of \$49 75;

No. 651, A., a bill for an act to appropriate to J. B. Bowen, the sum of \$26 13.

M. HOWLAND, *Ch'n.*

MESSAGE FROM THE SENATE,

By J. H. WARREN, Chief Clerk thereof.

MR. SPEAKER:

I am directed to present for your signature,

No. 320, S., an act to provide for the disposal and expenditure of the drainage fund, in the counties of Kewaukee and Door;

No. 263, S., an act to appropriate to William Edgar, the sum of \$15 25;

No. 229, S., an act to incorporate the Wisconsin Agricultural Mechanical Association;

No. 318, S., an act to authorize the city of Kenosha to levy a special tax for harbor improvement, and to repeal section 4, of subdivision 6, entitled, of taxation, of chapter 133, of the private and local laws of 1857, entitled an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereof;

No. 216, S., an act to appropriate to James M. Flower, the sum of \$177.

No. 23, S., a bill for an act concerning judgment in certain cases;

No. 272, S., a bill for an act to provide for the holding of the annual school meeting, in school district No. 4, of the town of East Troy;

No. 297, S., a bill for an act to appropriate to A. J. Langworthy the sum of \$68;

No. 296, S., a bill for an act to appropriate to Rufus Parks the sum of \$40;

No. 237, S., a bill for an act to annex a part of the county of Chippewa to the county of Dallas;

No. 240, S., a bill for an act to organize the county of Door for judicial purposes;

No. 335, S., a bill for an act to legalize the acts of the county board of supervisors of Manitowoc county, for the year of 1859;

No. 309, S., a bill for an act to appropriate to Francis Hendood the sum of \$30;

No. 215, S., a bill for an act to appropriate to James M. Laughs \$25 10;

No. 246, S., a bill for an act to revive the Rock Lake Cemetery Association;

No. 295, S., an act to incorporate the Dane County Agricultural and Mechanical Association;

No. 307, S., a bill for an act to appropriate to Thos. Knudson the sum of \$38;

No. 265, S., a bill for an act to appropriate to S. S. Keyes the sum of \$23;

No. 308, S., a bill for an act to appropriate to Wm. J. Gill the sum of \$42;

No. 306, S., a bill for an act to appropriate to Thos. Gill the sum of \$30;

No. 287, S., a bill for an act to remit to the county of Portage certain indebtedness to the State;

No. 202, S., a bill for an act to authorize Brainard D. Hill, and Edward P. Garter to maintain and keep a bridge pier extending into Lake Michigan;

No. 278, S., a bill for an act to provide for the redemption and conveyance of unredeemed lands in Brown, Oconto and Kewaunee counties;

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq., Chief Clerk thereof.

Mr. SPEAKER :

I am directed to inform you that the Senate has passed

No. 345, S., a bill for an act to appropriate the sum of \$4,000 for the purchase of stationery for the use of the State officers and the Legislature for the ensuing year;

No. 341, S., a bill for an act to change the name of Thomas Brown to Thomas Henderson Jefferson;

No. 343, S., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 283, S., a bill for an act to appropriate the sum of \$5,000 to the State Prison Commissioner;

No. 360, S., a bill for an act to incorporate the Monticello Union Meeting House Association;

No. 365, S., a bill for an act to amend an act entitled an act to incorporate the Shullsburg Branch Railroad Company;

No. 275, S., a bill for an act to prevent stallions in certain cases from running at large;

And asks the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has concurred in the passage of

No. 446, A., a bill for an act for the protection of orchards and fruit trees;

No. 460, A., a bill for an act legalizing a State road, therein named;

No. 351, A., a bill to amend an act entitled an act to incor-

porate the Green Bay, Milwaukee, & Chicago, R. R. company, approved March 13, 1851, and the acts amendatory thereto;

No. 352, A., a bill for an act to incorporate the Milwaukee & Cedarburg Plank Road Company.

No. 237, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute;

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society in the city of Fond du Lac;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 394, A., a bill for an act to authorize the board of trustees of the village of Viroqua, Bad Ax county, to levy a tax;

No. 139, A., a bill for an act to provide for the reassessment of certain taxes in the city of Milwaukee for the year 1856 and 1857;

Without amendment.

I am also directed to inform you that the Senate has passed

No. 357, S., a bill for an act to appropriate to the Wisconsin State Hospital for the Insane, a sum of money therein named to pay the debts existing against said institution;

And ask the concurrence of the Assembly therein;

I am further directed to inform you that the Senate has refused to recede from its non-concurrence in the Assembly amendment to

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 15, of the revised statutes, entitled of the assessment and collection of taxes;

And have refused to recede from their amendment to

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chap. 150, of the revised statutes.

Mr. Judd moved that the Assembly adjourn;

The ayes and noes were called for and ordered;

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhöfen, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bow, Bow, Boyd, Brooks, Child, Dickson, Elmore, Farwell, Hartung, Hesk, Humann, Jackson, Judd, McKay, McMichael, Moore, Mulholland, Munn, Nash, Ordway, Rogers, Schneider, Seaton, Simpson, Smith, Spottswood, Sumner, Weage, Whittlesey and Wood—41.

Those who voted in the negative were

Messrs. Cobb, Goodwin, Griffin, Griswold, Holton, Hunk-

ins, Keogh, Kingsbury, Langland, Mackay, Miller, Mitchell, Neville, Palmer, Phillips, Robertson, Ruan, Sutton, Upson, Wescott, Wheeler, Whiting, Winter and Young—25.

The Assembly adjourned.

THURSDAY, March 29, 9 o'clock, A. M.

The Assembly met.

The Speaker in the chair.

On motion of Mr. Barden,

The reading of the journal of yesterday was dispensed with.

Mr. Ordway moved to re-consider the vote by which the Assembly yesterday passed,

No. 532, A.;

Mr. Palmer moved the previous question,

Which was ordered, and

The question—"Shall the main question be now put?"

It was decided in the affirmative, and

The question being

Mr. Ordway's motion to re-consider,

The ayes and noes were called for, and

The Assembly refused to re-consider,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Bachuber, Ballantine, Beath, Bouck, Bovay, Boyd, Child, Dockry, Elmore, Griswold, Hesk, Howland, Humann, Hunkins, Kiefer, Kingsbury, Meigs, Mulholland, Munn, Nash, Ordway, Palmer, Ruan, Schmidtner, Seaton, Simpson, Smith, Westby, Wheeler, Winter, Wood and Young—34.

Those who voted in the negative, were

Messrs. Altenhofen, Baldwin, Barnum, Bettis, Blackman, Bugh, Bunn, Burt, Cobb, Coles, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Horn, Horton, Judd, Langland, Lewis, Mackay, McKay, McMichael, Mitchell, Neville, Patchin, Phillips, Robertson, Rog-

ers, Sumner, Upson, Weage, Wescott, Whittlesey, Whiting and Mr. Speaker—40.

Mr. Palmer moved that all rules requiring bills to be considered in committee of the Whole, be suspended for the day, and that bills in the general file be considered in their order, and that bills which do not require engrossment, be put upon their passage when ordered engrossed;

Which was agreed to.

ACCOUNT,

Presented and referred to committee on Claims:

By the Speaker:

No. 97, A., the account of Bliss, Eberhard & Festner.

RESOLUTIONS INTRODUCED.

By Mr. Goodwin:

Res. No. 141, A.,

Resolved, That the Assembly reject the accounts of James Ross, State Printer, for the reason, 1st, that we have no legal guide as to the proper construction of the contract; and, 2d, because the construction of said contract ought to be left to the Court;

Lies over.

By Mr. Winter:

Res. No. 142, A.,

Resolved, That the Superintendent of Public Property be and is hereby instructed to furnish each member of this Assembly two copies of the blue book;

Lies over.

RESOLUTIONS CONSIDERED.

Res. No. 138, A.,

In regard to applying ground plaster;

Introduced by Mr. Hunkins on Tuesday,

The Assembly refused to adopt.

Res. No. 139, A.,

Relative to No. 20, A., on slavery and colonization;

Introduced by Mr. Judd, yesterday,

Was laid on the table.

The motion of Mr. Barden, made yesterday, to reconsider the vote by which the Assembly refused, on Tuesday, to pass No. 559, A., a bill for an act to amend section 8, of chapter 9, of the Revised Statutes entitled of agriculture;

Being in order,

Mr. Goodwin moved to lay the motion to reconsider on the table.

Mr. Alden moved a call of the House,

Which was refused.

The ayes and noes being called for and ordered,

The Assembly refused to lay the motion to reconsider on the table—by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Bartlett, Bettis, Beath, Blackman, Child, Cobb, Cole, Coles, Fairchild, Farwell, Goodwin, Green, Griffin, Grover, Holton, Jackson, Judd, Kingsbury, Lewis, Mackay, McMichael, Meigs, Mitchell, Munn, Nash, Neville, Phillips, Rogers, Simpson, Smith, Westcott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—87.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Baldwin, Ballantine, Barden, Barnum, Bouck, Bovay, Boyd, Bugh, Bunn, Burt, Dickson, Dockry, Elmore, Golden, Griswold, Hammarquist, Hartung, Hayden, Hesk, Howland, Humann, Hunkins, Keogh, Kiefer, Langland, McKay, Moore, Ordway, Palmer, Patchin, Robertson, Ruan, Schmidtnr, Seaton, Smith, Sumner, Upson, Weage, Westby and Young—41.

The question being on the motion of Mr. Barden,

To re-consider the vote by which the Assembly refused to pass,

No. 559, A.;

Mr. Bartlett moved the previous question,

Which was ordered, and

The question—"shall the main question be now put?"

It was decided in the affirmative.

The question recurred on the motion to re-consider,

The ayes and noes were called for and ordered,

And the bill was re-considered

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Baldwin, Ballantine, Barden, Barnum, Bouck, Bovay, Boyd, Bugh, Burt, Dockry, Elmore, Golden, Griswold, Hartung, Hesk, Holton, Horn, Humann, Keogh, Kiefer, Langland, Lewis, McKay, Miller, Moore, Nash, Ordway, Palmer, Patchin, Robertson, Rogers, Ruan, Schmidtnr, Seaton, Smith, Sumner, Upson, Weage, Whiting and Winter—42.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Bartlett, Bettis, Beath, Black-

man, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Goodwin, Griffin, Grover, Hammarquist, Hayden, Howland, Jackson, Judd, Kingsbury, McMichael, Meigs, Mitchell, Munn, Simpson, Stannard, Sutton, Westby, Wescott, Whittlesey, Wood, Young and Mr. Speaker—35.

Mr. Horn moved to reconsider the vote by which the Assembly yesterday refused the Assembly Hall to Judge Howe;

Mr. Griswold moved that the motion to reconsider be laid upon the table;

The Assembly refused to lay on the table,

By the following vote:

Those who voted in the affirmative were

Messrs. Ballantine, Barden, Bugh, Child, Cobb, Farwell, Griswold, Hammarquist, Hayden, Howland, Judd, McKay, Mitchell, Moore, Mulholland, Ordway, Rogers, Smith, Sumner, Weage, Westby and Wescott—23.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Bunn, Burt, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Goodwin, Griffin, Grover, Hartung, Hesk, Holton, Horn, Humann, Hunkins, Jackson, Keogh, Kiefer, Kingsbury, Lewis, McMichael, Miller, Munn, Patchin, Robertson, Ruan, Schmidtner, Simpson, Stannard, Sutton, Upson, Wheeler, Whiting, Winter, Wood and Mr. Speaker—50.

The motion to reconsider was agreed to, and

Res. No. 140, A.,

Resolved, That the use of the Assembly Hall be extended to Hon. T. O. Howe for the purpose of delivering an address upon the subject of State rights on Thursday evening;

Was taken up and adopted.

The committee on Engrossed Bills report that they have examined and compared the following bills, and find them correctly engrossed:

No. 129, A., a bill for an act relating to the Milwaukee county court;

No. 532, A., a bill for an act to lay out a State road from Vausau to the State line north, and to make an appropriation therefor.

M. HOWLAND, *Ch'n.*

The committee on Banks and Banking, to which was referred Mem. No. 357, A., the petition of N. H. Wood, concerning Banks and Banking;

No. 630, A., a bill for an act to define sections 13, 45, 41

and 47 of the Revised Statutes, entitled "of the incorporation of banking associations;"

No. 631, A., a bill for an act to amend section 88, of chapter 18, of the Revised Statutes, entitled "of State officers;"

No. 555, A., a bill for an act to incorporate the Milwaukee Savings Institution, in the city of Milwaukee;

Have had the same under consideration and have instructed me to report the same back with the following recommendations:

No. 357, A.,

With the recommendation that it be laid on the table;

No. 630, A.,

With an amendment, and recommendation that it pass when so amended;

No. 631, A.,

With a recommendation that it do pass; and

No. 555, A.,

With a recommendation that it do not pass.

W. M. GRISWOLD, *Ch'n.*

The committee on Legislative Expenditures, to whom was referred account

No. 78, A., of R. A. Tripp;

Have had the same under consideration, and have instructed me to report the same back to the Assembly without recommendation.

ORAN ROGERS, *Ch'n.*

On motion of Mr. Elmore,

Leave to withdraw said account was granted.

The select committee appointed under resolution No. 7, herewith report back to the Assembly the accompanying memorials and petitions, and recommend that they accompany Senate bill No. 127.

J. S. BUGH, *Ch'n.*

The committee consisting of the delegation from Milwaukee, to whom was referred,

Mems. Nos. 162, 311, 321 and 335, A.,

And bills,

Nos. 73, S., 45, 356 and 347, A.,

Have had the same under consideration, and a majority of the committee (Mr. Schmidtner dissenting) have instructed me to report the same back to the Assembly, and recommend that they be severally laid upon the table.

H. L. PALMER.

The select committee consisting of the Columbia county delegation, to whom was referred

Mem. No. 28, A., a memorial of the citizens of Portage, for an act to amend the charter of the city of Portage,

Have had the same under consideration, and herewith report the same back, and recommend that it be laid on the table, it being too late in the session to give the matter proper consideration.

W. M. GRISWOLD,
M. BARDEN.

The committee of Conference to whom was referred

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county;

Recommend that the Senate recede from its amendment to sec. 1, and to such of its amendments to sec. 18, as have not been concurred in by the Assembly; also to its amendment striking out section 20, and inserting a new section in lieu thereof, and amend section 20, so that it shall read as follows:

The said county judge shall receive a salary of five hundred dollars per annum, to be paid quarterly out of the county treasury. There shall be paid in all actions which may be commenced in said court, or appealed thereto, the following fees as a tax in addition to the county tax heretofore required to be paid, viz: In any amicable suit where judgment is confirmed upon the first appearance of the parties, and in actions wherever judgment is entered in vacation, in default of answer, one dollar, to be paid before entry of judgment. In action wherein final judgment is entered upon an issue of law, one dollar and fifty cents, to be paid before the entry of judgment. In all actions discontinued before issue joined, fifty cents after issue joined, and before trial, one dollar; if by order of court, one dollar and fifty cents. In appeal suits dismissed, one dollar, to be paid in advance.

In all actions wherein judgment is entered in term time, in default of answer or demurrer, one dollar and fifty cents to be paid before entry of judgment. In all actions wherein issue of fact is tried by the court or by a jury, including rendition of judgment and receiving and entering judgment, two dollars. The fees mentioned in this section, in actions wherein an issue of fact is tried by the court or a jury, shall be paid at or before each cause is reached, for trial, and if it be in a cause commenced in said court, such fees shall be paid by the plaintiff, and if an appealed case from a justice of the peace by the appellant, and if any party upon whom it devolves to pay the fees required by the provisions of this section, shall fail or neglect

to pay such fees at the time herein required, the court may, if it be a suit commenced in said court, render judgment as in the case of non-suit against the plaintiff therein. If the case be an appeal from a justice of the peace, the court may dismiss the appeal therein, and render judgment in said court against the appellant for the costs therein in said court on appeal. All the fees mentioned in this section, shall be paid to the clerk of the court, and when so collected, shall be paid quarterly into the county treasury, and the same shall constitute a separate fund to be applied towards the payment of the salary of the county judge.

Amend sec. 25, so that it shall read as follows:

This act shall take effect and be in force from and after its passage and publication.

GEO. S. BARNUM,
GEO. B. GOODWIN,

Committee on the part of the Assembly.

C. G. RODOLF,
G. W. WASHBURN,

Committee on the part of the Senate.

I concur in the above report except as to giving the county judge a salary.

GAB. BOUCK.

The report of said committee was concurred in.

The delegation from Milwaukee, to whom was referred bill No. 802, S., entitled a bill to provide for the management of the public schools in the city of Milwaukee;

Have had the same under consideration, and herewith return it with the recommendation of passage.

E. D. HOLTON,
L. A. SCHMIDTNER,
M. HUMANN,
E. G. HAYDEN,
H. L. PALMER.

Mr. Keogh dissenting.

The select committee to whom was referred

No. 396, A., a bill for an act for the relief of the reparation owners along the line of the Fox and Wisconsin Rivers Improvement;

Have had the same under consideration, and owing to the advanced state of the session, report the same back with a recommendation that the same be indefinitely postponed.

H. B. MUNN,
E. W. YOUNG.

The elect committee to whom was referred

Mem. No. 196, A., petition of J. B. Fargo, for the payment of certain scrip issued on the part of the State, on account of the improvement of the Fox and Wisconsin rivers;

Also,

Mem. No. 317, A., memorial of Sarah B. Story for the payment of two bonds named herein, issued by the State of Wisconsin for work done on the Fox and Wisconsin Improvement;

Have had the same under consideration, and in view of the late action of the Assembly in regard to the affairs of said company, would recommend that the same be indefinitely postponed.

H. B. MUNN,
E. W. YOUNG.

SENATE MESSAGE CONSIDERED.

The Senate refusing to recede from its amendments to

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled "an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes;"

Mr. Elmore moved that the Assembly do insist, and asks a committee of conference;

Which was agreed to,

And the Speaker appointed Messrs. Elmore, Griswold and Holton as such committee of conference on the part of the Assembly.

The Senate amendments to

No. 403, A., a bill for an act to provide for lay out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

And

No. 465, A., a bill for an act to provide for layin out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

Were concurred in.

The following bills were read the first and second times, and placed on general file:

No. 339, S., a bill for an act, to appropriate to B. Domschke the sum of \$155;

No. 344., S., a bill for an [act, to authorize the Chippewa bank to reduce its capital;

No. 333, S., a bill for an act to enable the Regents of the State University to complete and furnish University Hall;

No. 331, S., a bill for an act to appropriate to Berliner & Runo, the sum of \$20;

No. 39, S., a bill for an act to appropriate to D. A. Reed the sum of \$8;

No. 226, S., a bill for an act to provide for the disposal of the interest arising upon the drainage fund income, and to amend chapter 29, of Revised Statutes, entitled of swamp and overflowed Lands;

No. 190, S., a bill for an act to amend chapter 6, of the Revised Statutes, entitled of the public printing and of the publication and distribution of the statutes and other public documents;

No. 340, S., a bill for an act to appropriate a contingent fund to school and university land commissioners;

No. 357, S., a bill for an act to appropriate to the Wisconsin State Hospital for the Insane, a sum of money therein named to pay the debts existing against said institution;

No. 345, S., a bill for an act to appropriate the sum of \$4,000 for the purchase of stationery for the use of the State officers and the Legislature for the ensuing year;

No. 341, S., a bill for an act to change the name of Thomas Brown to Thomas Henderson Jefferson;

No. 343, S., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 283, S., a bill for an act to appropriate the sum of \$5,000 to the State Prison Commissioner;

No. 360, S., a bill for an act to incorporate the Monticello Union Meeting House Association;

No. 365, S., a bill for an act to amend an act entitled an act to incorporate the Shullsburg Branch Railroad Company;

No. 275, S., a bill for an act to prevent stallions in certain cases from running at large;

No. 327, S., a bill for an act to amend section 61, of chapter 28, of the Revised Statutes, entitled of school and university lands;

No. 336, S., a bill for an act to amend section 30, of chapter 28, of the Revised Statutes, entitled of common schools;

No. 355, S., a bill for an act restoring Charles W. Mains to citizenship;

No. 354, S., a bill for an act restoring Horatio Mains to citizenship;

No. 223, S., a bill for an act to amend an act entitled an act to make a temporary loan to the State University, approved March 21st, 1859;

No. 279, S., a bill for an act relating to the discipline of convicts in the State Prison;

No. 328, S., a bill for an act to amend sec. 17, of chapter 6,

of the Revised Statutes, entitled of public printing and the publication and distribution of statutes and other public documents;

No. 245, S., a bill for an act to amend chapter 13, of the Revised Statutes, entitled of counties and county officers;

And,

No. 304, S., a bill for an act to amend chapter 157 of the Revised Statutes, entitled of actions against the State.

The following bills were referred to the Judiciary committee:

No. 18, S., a bill for an act relating to garnishee process;

No. 312, S., a bill for an act to amend section 1, chapter 138 of the Revised Statutes, entitled of the limitations of actions;

The rules were suspended, and

No. 29, S., a bill for an act to authorize the Secretary of State to contract for necessary gas furnished for the use of the capitol and other State institutions in the city of Madison;

Was read the third time and concurred in,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Bachuber, Baldwin, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Boyd, Bugh, Burt, Child, Cobb, Cole, Coles, Dockry, Elmore, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Horn, Howland, Humann, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, McKay, Mitchell, Moore, Munn, Nash, Neville, Palmer, Patchin, Robertson, Rogers, Ruan, Schmidtner, Smith, Stannard, Sumner, Sutton, Upson, Weage, Whiting, Winter, Wood, Young and Mr. Speaker—56.

Those who voted in the negative, were

Messrs. Fairchild, Farwell and Fischer—3.

The rules were suspended, and

No. 350, S., a bill for an act to provide for levying a State tax for the year 1860;

Was read the third time and passed,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballanne, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Child, Cobb, Coles, Elmore, Fairchild, Farwell, Fischer, Golden, Griswold, Grover, Hammarquist, Hartung, Hesk, Holton, Horn, Horton, Howland, Humann, Judd, Kiefer, Lewis, Mackay, McKay, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Patchin, Phillips, Robertson, Rogers, Schmidtner, Seaton, Simpson, Spottswood, Stannard, Upson, Weage, Westby, Wescott, Wheeler, Whiting, Whiting, Winter, Wood, Young and Mr. Speaker—66.

Those who voted in the negative were
Messrs. Hayden, Hunkins, Kingsbury, Meigs, Palmer, Rankin and Ruan—7.

The rules were suspended, and

No. 211, S., a bill for an act to provide for letting the public printing by contract, and to establish maximum prices for the execution thereof;

Was amended on motion of Mr. Bovay, and concurred in as amended,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Bow, Boyd, Bugh, Child, Cobb, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Fischer, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hesk, Holton, Horn, Howland, Humann, Jackson, Keogh, Kiefer, Kingsbury, Langland, Lewis, McMichael, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Phillips, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—66.

None voted in the negative.

Mr. Hunkins moved to suspend the rules to enable him to offer a resolution.

Mr. Westby moved to lay the motion of Mr. Hunkins on the table.

The Assembly refused to do.

The rules were suspended and Mr. Hunkins introduced
Jt. Res. No. 35, A.,

Resolved, by the Assembly, the Senate concurring, That bill No. 52, A., a bill for an act to authorize Wm. Knowles, his associates or assigns to build and maintain a dam across the Peekatonica River;

Which bill has passed both houses, be amended by the chief clerk of the Assembly, inserting an enacting clause therein;

The ayes and noes were called and ordered,

The resolution was adopted,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Baldwin, Barnum, Blackman, Bouck, Brooks, Burt, Cobb, Cole, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Hayden, Horton, Horn, Humann, Hunkins, Jackson, Judd, Keogh, Kingsbury, Lewis, Mackay, McMichael, Moore, Nash, Neville, Ordway, Palmer, Patchin, Robertson, Ruan,

Schmidtner, Seaton, Smith, Spottswood, Sumner, Weage, Westby, Wheeler, Whittlesey, Whiting, Winter and Mr. Speaker.
—51.

Those who voted in the negative were
Messrs. Altenhofen, Bettis, Boyd, Colcs, Dockry, Howland, Keifer, McKay, Meigs, Munn, Patchin, Rogers, Wescott and Young—14.

REPORTS OF COMMITTEES.

The joint committee on Enrolled Bills, report that on the 27th inst., they presented to the Governor for his approval, the following bills:

No. 294, A., a bill for an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

No. 575, A., a bill for an act to vacate a certain street in the village of Waukau, Winnebago county;

No. 315, A., a bill for an act to amend section 3, of chapter 190, of Revised Statutes, entitled of prisons generally and common jails;

No. 73, A., a bill for an act to authorize the laying out of a State road from Prairie du Chien to LaCrosse;

No. 297, A., a bill for an act to legalize the sale of land for unpaid taxes, in the county of Trempeleau;

No. 384, A., a bill for an act to amend section 53, of chapter 140, of the Revised Statutes, entitled of miscellaneous proceedings in civil actions, and general provisions;

No. 374, A., a bill for an act to amend chapter 127, of the Revised Statutes, entitled of arrest and bail;

J. Res. No. 29, A.,

Relative to grants of public lands to actual settlers, and to passage of the homestead bill.

G. BENNETT, *of Senate.*

C. MILLER, *of Assembly.*

The committee of Conference on the disagreeing vote on bill

No. 53, S.,

Have unanimously agreed to amendments to said bill, and recommend that the Assembly recede from its amendment, and that when the Senate bill is amended as proposed by the committee of Conference, that the same do pass.

A. E. ELMORE.

The said report was concurred in.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq. Chief Clerk thereof :

MR. SPEAKER:—

I am directed to inform you that the Senate has concurred in the Assembly amendment t

No. 301, S., a bill for an act to provide for the government of the Wisconsin State Hospital for the Insane, and for other purposes.

I am further directed to inform you that the Senate has passed

No. 304, S., a bill for an act to amend chapter 157, of the Revised Statutes, entitled of actions against the State;

And asks the concurrence of the Assembly therein.

I am also directed to inform you that the Senate has concurred in the passage of,

No. 490, A., a bill for an act for the relief of the Reedsburg Bank;

And

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire county, to the mouth of Hay river, in Dunn county;

Without amendment.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved Feb. 24, 1859;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 583, A., a bill for an act to organize Shawano county for judicial purposes;

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee;

No. 525, A., a bill for an act to authorize the city of Milwaukee to construct a certain bridge;

No. 569, A., a bill for an act to incorporate the Milwaukee mutual laborer's relief society;

No. 589, A., a bill for an act to appropriate to Mosely & Brother the sum of \$217 93;

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new articles of association, and continue the banking business;

No. 354, A., a bill for an act to amend an act, entitled an act to incorporate the Peshtigo lumbering and manufacturing company, approved October 11th, 1856, and the amendments thereto;

No. 42, A., a bill for an act exempting certain university lands from taxation;

No. 362, A., a bill for an act to provide for laying out a State road from Superior to Chippewa Falls;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, as justice of the peace, of the county of Dane;

No. 639, A., a bill for an act to postpone the tax sale in Douglas county;

No. 303, A., a bill for an act to enable the city of Fond du Lac to settle with its bondholders.

C. MILLER.

Said bills were signed by the Speaker.

BILLS ON THEIR THIRD READING.

The following bills were read a third time, and concurred in :

No. 192, S., a bill for an act to incorporate the Mississippi Bottom Plankroad and Ferry Company;

No. 177, S., a bill for an act to establish a highway therein described;

No. 209, S., bill for an act to amend section 106, of chapter 28 of the Revised Statutes entitled "of the school and university lands;"

No. 321, S., a bill for an act to amend chapter 81, of the Revised Statutes, entitled of the State Historical Society;

By the following vote:

Those who voted in the affirmative, were

Messrs. Bachuber, Bartlett, Beath, Blackman, Bovay, Boyd, Child, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Grover, Hammarquist, Hartung, Hayden, Iolton, Howland, Jackson, Judd, Kingsbury, McKay, Meigs, Miller, Mitchell, Munn, Palmer, Patchin, Phillips, Ruan, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Wescott, Wheeler, Whittlesey, Wood and Young—44.

Those who voted in the negative, were

Messrs. Ahlhauser, Baldwin, Ballantine, Barden, Barnum, Bettis, Bouck, Cobb, Dockry, Elmore, Griswold, Hesk, Humann, Kiefer, Langland, Lewis, Moore, Nash, Neville, Ordway, Rankin, Robertson, Rogers, Schmidtner, Stannard, Upson, Weage, Whiting, Wiley and Winter—28.

No. 55, S., a bill for an act to establish an official State paper.

Mr. Bartlett moved the previous question,

Which was ordered, and

The question—"shall the main question be now put?"

It was decided in the affirmative.

And the question being on the passage of the bill,

The ayes and noes being required,

The Assembly refused to pass,

By the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Ballantine, Barnum, Bartlett, Bettis, Bo-vay, Bugh, Child, Cobb, Dickson, Farwell, Fischer, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Howland, Langland, Lewis, McKay, Miller, Mitchell, Moore, Nash, Phillips, Rogers, Stannard, Sumner, Weage, Westby, Wescott, Wheeler, Whiting, Wood and Young—38.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Beath, Blackman, Bouck, Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hartung, Hesk, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Mackay, Meigs, Munn, Neville, Ordway, Palmer, Patchin, Rankin, Robertson, Ruan, Schmidtner, Seaton, Simpson, Smith, Upson and Winter—41.

BILLS READY FOR A THIRD READING.

The following bills were read the third time,

And passed:

No. 221, a bill for an act to incorporate religious societies;

No. 150, A., a bill for an act authorizing the Supreme Court to pronounce final judgment in certain criminal cases.

The title was amended.

Mr. Judd moved to re-consider the vote by which the Assembly passed

No. 321, S.;

And moved to lay the motion on the table,

The motion was laid on the table.

On motion of Mr. Munn,

The Assembly took a recess till 2 o'clock.

2 o'clock, P. M.

The Assembly was called to order by the Speaker.

ACCOUNT,

Presented and referred.

By Mr. Speaker:

No. 98, A., account of Mosely & Brother,
To the committee on Claims.

BILLS READY FOR THIRD READING.

The following bills were read a third time,

And passed:

No. 252, A., a bill for an act to amend chapter 151, of the Session Laws of 1859, entitled an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150, of the Revised Statutes;

No. 292, A., a bill for an act to provide for the payment of mechanics and laborers employed on railroads, canal and other public works in this State;

The title was amended.

No. 399, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled of courts held by justices of the peace;

Mr. Palmer moved to lay the bill on the table,

And the ayes and noes being called for and ordered, and

The Assembly refused to lay the bill on the table,

By the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Barnum, Bartlett, Beath, Bouck, Bow, Bugh, Cobb, Fairchild, Farwell, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hesk, Judd, Kingsbury, Mackay, Munn, Neville, Ordway, Palmer, Rankin, Whittlesey, Wood and Mr. Speaker—28.

Those who voted in the negative, were

Messrs. Ahlhauser, Bachuber, Baldwin, Bettis, Boyd, Coles, Dockry, Elmore, Grover, Howland, Humann, Jackson, Keogh, Kiefer, McMichael, Meigs, Mitchell, Moore, Nash, Phillips, Robertson, Rogers, Ruan, Schmidtner, Seaton, Spottswood, Stannard, Sumner, Weage, Westby, Wescott, Whiting, Winter and Young—34.

The bill was read the third time, and
The question being on the passage of the bill,
The ayes and noes were called for, and the Assembly refused
to pass the bill

By the following vote:

Those who voted in affirmative were

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Child, Cole, Coles, Dickson, Dockry, Elmore, Holton, Howland, Humann, Keogh, Kiefer, Langland, Meigs, Mitchell, Moore, Robertson, Rogers, Ruan, Schmitdner, Seaton, Stannard, Upson, Weage, Westby, Wescott, Whiting, Winter and Young—32.

Those who voted in the negative were

Messrs. Alden, Altenhofen, Barden, Barnum, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Burt, Cobb, Farwell, Golden, Goodwin, Griswold, Hammarquist, Hartung, Hesk, Horn, Jackson, Judd, Kingsbury, Mackay, McMichael, Miller, Munn, Nash, Neville, Ordway, Palmer, Rankin, Smith, Sumner, Whittlesey, Wood and Mr. Speaker—40.

No. 269, A., a bill for an act to appropriate to the Institute for the education of the deaf and dumb, and the Institute for the blind, of the State of Wisconsin, certain sums of money therein named;

Mr. Griswold moved to amend by striking out of section 1, the words "14,500," and insert "11,000;"

Mr. Judd moved to amend the amendment by striking out "11,000," and insert "12,500;"

The Assembly refused to amend the amendment, and the question being on Mr. Griswold's amendment,

It was adopted.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Beath, Bouck, Bovay, Bow, Boyd, Burt, Child, Cobb, Coles, Dickson, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Hartung, Holton, Horn, Humann, Jackson, Judd, Kiefer, Langland, Mackay, McKay, McMichael, Miller, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Whittlesey, Whiting, Wood, Young and Mr. Speaker—64.

Those who voted in the negative, were

Messrs. Bettis, Blackman, Hesk, Howland, Kingsbury and Ruan—6.

No. 310, S., a bill for an act to appropriate to William Hawley the sum of \$42;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative, were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 650, A., a bill for an act to appropriate to Burt Brett the sum of \$49 75;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative, were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 651, A., a bill for an act to appropriate to J. B. Bowen the sum of \$26 13;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash,

Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative, were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 624, A., a bill for an act to appropriate to C. M. Marvin the sum of \$50;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 625, A., a bill for an act to appropriate to Church & Hawley the sum of \$23;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachubrr, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 626, A., a bill for an act to appropriate to R. G. Norton the sum of \$26 24;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 627, A., a bill for an act to appropriate to Andrew Bishop to sum of \$60;

The ayes and noes being required,

The bill was passed by following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Cole, Coles, Dickson, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Holton, Howland, Judd, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Those who voted in the negative were

Messrs. Ahlhauser, Baldwin, Beath, Bouck, Bow, Boyd, Dockry, Elmore, Hayden, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, McMichael, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—25.

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225;

The ayes and noes being required,

The bill passed—by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Beath, Bouck, Bovay, Boyd, Bugh, Burt, Child, Coles, Dickson, Dockry, Fairchild, Farwell, Fischer, Golden, Goodwin, Griswold, Grover, Hammarquist, Hartung, Hayden, Holton, Horton, Humann, Judd, Keogh, Kiefer, Kingsbury, Mackay, McKay, McMichael, Meigs, Miller, Mitchell, Moore, Munn, Nash, Neville, Ordway, Pal-

mer, Patchin, Phillips, Rogers, Ruan, Schmitdner, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Whiting, Winter, Wood and Mr. Speaker—68.

Those who voted in the negative, were
Messrs. Alden, Blackman, Howland, Rankin, Robertson, and Young—6.

REPORTS OF COMMITTEES.

The Committee on Enrolled Bills report that they have examined the following bills and find them correctly enrolled:

No. 455, A., a bill for an act to change the name of Sarah McCabe to Sarah Kate Graves;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions;

No. 543, A., a bill for an act to appropriate to A. G. Darwin, the sum of \$257 56;

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society for the year 1856;

No. 225, a bill for an act to authorize the city of Milwaukee to construct a certain bridges;

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled of appeals, writs of error and proceedings thereon;

Also,
Jt. Res. No. 4, A.,

Joint resolution, objecting to any change in the naturalization laws.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

Mr. Judd moved to reconsider the vote by which the Assembly this morning refused to pass

No. 55, S., a bill for an act to establish an official State paper;

Mr. Bouck moved to lay the motion to re-consider on the table.

The ayes and noes being called and ordered,

The Assembly refused to lay on the table,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Bouck, Bow, Boyd, Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hartung, Hesik, Horn, Humann, Jackson, Keogh, Kingsbury, Meigs, Munn, Ne-

ville, Palmer, Patchin, Rankin, Schmidtner, Seaton and Simpson—27.

Those who voted in the negative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Dickson, Farwell, Fischer, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Howland, Judd, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Ruan, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Westcott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—47.

The question being on Mr. Judd's motion to reconsider;

The ayes and noes were called for and ordered, and

The vote was reconsidered, by the following vote:

Messrs. Alden, Baldwin, Ballantine Barden, Barnum, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Dickson, Farwell, Fischer, Golden, Griswold, Hammarquist, Hayden, Holton, Howland, Judd, McKay, McMichael, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young, and Mr. Speaker—47.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Bow, Boyd, Cole, Coles, Dockry, Elmore, Fairchild, Griffin, Hartung, Hesk, Horn, Humann, Jackson, Keogh, Kingsbury, Langland, Meigs, Munn, Neville, Palmer, Rankin, Ruan, Seaton and Simpson—29.

The question occurring on the passage of the bill,

The ayes and noes were called for and ordered;

And the bill passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barden, Barnum, Bartlett, Bettis, Blackman, Bugh, Burt, Child, Cobb, Dickson, Farrell, Fischer, Golden, Goodwin, Griswold, Hammarquist, Hayden, Holton, Howland, Judd, Langland, McKay, Miller, Mitchell, Moore, Nash, Ordway, Phillips, Robertson, Rogers, Smith, Spottswood, Stannard, Sumner, Upson, Weago, Westby, Westcott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—47.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Bow, Cole, Coles, Dockry, Elmore, Fairchild, Griffin, Grover, Hesk, Horn, Humann, Jackson, Keogh, Kiefer, Kingsbury, Meigs, Munn, Neville, Palmer, Patchin, Rankin, Ruan, Schmidtner, Seaton and Simpson—31.

No. 498, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled of inquests of the dead;

No. 563, A., a bill for an act to amend chapter 199, of the Private and Local Laws of 1859, entitled an act to establish a municipal court in the city and county of Milwaukee, approved March 18, 1859;

No. 513, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise two or more assembly districts;

No. 559, A., a bill for an act to amend section 8, of chapter 80, of the Revised Statutes, entitled of agriculture;

Having been reconsidered,

The Assembly refused to pass by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barden, Barnum, Bouck, Bow, Boyd, Bugh, Dockry, Elmore, Hartung, Holton, Humann, Hunkins, Langland, McKay, Moore, Nash, Ordway, Patchin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby and Whiting—32.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bartlett, Bettis, Beath, Blackman, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Hammarquist, Howland, Jackson, Judd, Keogh, Keifer, Kingsbury, Meigs, Mitchell, Mann, Neville, Palmer, Phillips, Simpson, Stannard, Wescott, Wheeler, Whittlesey, Winter, Wood, Young and Mr. Speaker—38.

Mr. Munn moved to reconsider the vote by which the Assembly refused to pass,

No. 559, A.,

And moved to lay the motion on the table.

Mr. Elmore moved a call of the House;

Which was ordered.

Mr. Elmore moved that further proceedings under the call be dispensed with,

Which was agreed to, and

Mr. Munn introduced his motion to reconsider.

Mr. Judd moved to reconsider the vote by which the Assembly passed

No. 55, S.,

And moved to lay the motion on the table;

The motion was laid on the table.

No. 649, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$85 18;

Was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Bachuber, Baldwin, Ballantine, Bart-

lett, Bettis, Beath, Bow, Burt, Child, Cobb, Cole, Fairchild, Farwell, Fischer, Golden, Goodwin, Hammarquist, Hartung, Judd, Langland, Lewis, Mackay, McKay, Miller, Mitchell, Munn, Nash, Ordway, Phillips, Rogers, Smith, Stannard, Sumner, Upson, Weage, Westby, Wescott, Whittlesey, Wood and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Ahlhauser, Alden, Barden, Blackman, Bouck, Boyd, Bugh, Coles, Dickson, Dockry, Elmore, Griffin, Griswold, Grover, Horn, Howland, Humann, Keogh, Kiefer, Kingsbury, McMichael, Meigs, Moore, Neville, Palmer, Patchin, Rankin, Robertson, Ruan, Schmidner, Seaton, Simpson, Spottswood, Wheeler and Winter—34.

No. 527, A., a bill for an act to appropriate to Francis W. Newland the sum of \$422 50;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Ballantine, Barnum, Bartlett, Bettis, Blackman, Burt, Child, Cobb, Farwell, Fischer, Golden, Goodwin, Griswold, Hartung, Holton, Howland, Humann, Judd, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Schmidner, Smith, Spottswood, Stannard, Upson, Weage, Wescott, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—40.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Beath, Bouck, Bow, Boyd, Bugh, Cole, Coles, Dickson, Dockry, Elmore, Fairchild, Griffin, Hesk, Horn, Jackson, Keogh, Kiefer, Kingsbury, Mackay, McMichael, Munn, Neville, Palmer, Patchin, Rankin, Ruan, Seaton, Simpson and Winter—34.

Mr. Griswold moved the appropriation bills on the general be taken up, and put on their passage.

Mr. Elmore moved to amend by substituting

No. 137, S.;

Which was agreed to.

The rules were suspended.

Mr. Elmore moved to indefinitely postpone the bill.

Mr. Judd moved the previous question;

Which was ordered, and

The question being "shall the main question be now put?"

It was decided in the affirmative, and

The question being on the indefinite postponement of the bill;

The ayes and noes being called and ordered,

The bill was indefinitely postponed

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bettis, Bow, Boyd, Bunn, Child, Cobb, Dickson, Dockry, Elmore, Golden, Griffin, Hammarquist, Hartung, Hesk, Holton, Howland, Keifer, Langland, Meigs, Moore, Munn, Ordway, Rankin, Robertson, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Upson, Weage, Westby, Wheeler, Whiting, Winter and Mr. Speaker—43.

Those who voted in the negative were

Messrs. Baldwin, Barnum, Bartlett, Beath, Blackman, Bouck, Bugh, Burt, Cole, Coles, Fairchild, Farwell, Fischer, Goodwin, Griswold, Grover, Horn, Humann, Jackson, Judd, Kingsbury, Mackay, McKay, McMichael, Miller, Mitchell, Nash, Neville, Palmer, Patchin, Phillips, Schmidtner, Stannard, Sumner, Wescott, Whittlesey, Wood and Young—38.

Mr. Elmore moved to reconsider the vote by which

No. 137, S.,

Was indefinitely postponed, and

Moved to lay the motion on the table;

The ayes and noes were called for and ordered;

And the motion was laid on the table,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bettis, Bow, Boyd, Bunn, Child, Dickson, Dockry, Elmore, Golden, Griffin, Hammarquist, Hartung, Hesk, Holton, Howland, Kiefer, Meigs, Moore, Ordway, Rankin, Robertson, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Upson, Weage, Westby, Wheeler, Whiting, Winter and Mr. Speaker—40.

Those who voted in the negative were

Messrs. Baldwin, Barnum, Bartlett, Beath, Blackman, Bouck, Bugh, Burt, Cole, Coles, Fairchild, Farwell, Fischer, Goodwin, Grover, Horn, Humann, Jackson, Judd, Kingsbury, Langland, Mackay, McKay, McMichael, Miller, Mitchell, Munn, Nash, Neville, Palmer, Patchin, Phillips, Schmidtner, Stannard, Sumner, Wescott, Whittlesey, Wood and Young—39.

REPORTS OF COMMITTEES.

The committee on Engrossed Bills respectfully report that they have examined and compared the following bills, and find them correctly engrossed:

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

No. 330, A., a bill for an act to amend section 11, of chapter 188, of the revised statutes, entitled of the State Prison.

M. HOWLAND, *Ch'n.*

The committee on the Judiciary, to whom was referred bill

No. 38, A., a bill for an act to repeal chapter 123, of the Session Laws of 1859, entitled an act to provide for the assignment of forfeited mortgages of school, university and other State land, to subsequent purchasers, and incumbrancers,

Have had the same under consideration, and have instructed me to report the same back the Assembly with a substitute, and recommend the passage of the substitute.

AMASA COBB, *Ch'n.*

The committee on Claims, to whom was referred bill

No. 647, A., a bill for an act to purchase certain documents in the foreign language, and to provide for the payment therefor,

Have had said bill under consideration, and have reported it back with amendments, and recommend its passage when amended;

Also bill,

No. 240, A., a bill to provide for continuing the work upon the State Capitol,

Have considered the same, and report it back without recommendation;

Also account,

No. 79, A., the account of S. G. Benedict, for coping the code for the printer, and assisting in reading proof of the same,

Have considered said account, and report it back with the commendation that it be disallowed.

HEBER SMITH. *Ch'n.*

No. 320, A., a bill for an act providing for a lien of mechanics and others;

Was laid on the table.

GENERAL FILE TAKEN UP.

The following bills were read a third time and passed

No. 544, A., a bill for an act to legalize the organization and records of the Lyceum of the city of Green Bay;

No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island for the use of the State;

Mr. Holton moved as follows:

Provided, That no citizen of this State shall ever be imprisoned upon any process, issued out of any Federal court, in any building on the land hereby ceded to the United States.

The ayes and noes were called for and ordered, and

The Assembly refused to amend, by the following vote:

Those who voted in the affirmative were

Messrs. Barden, Barnum, Bettis, Blackman, Bovay, Burt, Child, Dickson, Fischer, Griswold, Hayden, Holton, Langland, McKay, Rogers, Westby, Wheeler and Whiting—18.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Bouck, Bow, Boyd, Bunn, Coles, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hartung, Howland, Humann, Jackson, Judd, Kiefer, Kingsbury, Mackay, McMichael, Moore, Munn, Nash, Ordway, Palmer, Patchin, Phillips, Ruan, Schmidtner, Seaton, Simpson, Sumner, Sutton, Upson, Whittlesey, Wood and Mr. Speaker—43.

The question then being on the passage of the bill

The ayes and noes were called for, and

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Barnum, Bovay, Bow, Bugh, Burt, Child, Coob, Coles, Dockry, Elmore, Fairchild, Farwell, Fischer, Goodwin, Griffin, Hartung, Hayden, Howland, Humann, Jackson, Keifer, Langland, Mackay, McKay, Munn, Neville, Patchin, Phillips, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Stannard, Sumner, Sutton, Upson, Wescott, Whittlesey, Whiting, Winter, Wood and Mr. Speaker—51.

Those who voted in the negative were

Messrs. Bartlett, Bettis, Blackman, Holton, Moore, Nash, Spottswood, Westby and Wheeler—9.

MESSAGE FROM THE GOVERNOR.

STATE OF WISCONSIN, EXECUTIVE OFFICE,
MADISON, March 29, 1860.

To the Assembly:

The following entitled bills and joint resolution, originating in the Assembly, have severally received the Executive approval, and have been deposited in the office of the Secretary of State:

An act to amend chapter 97, of the Private and Local Laws of 1869, entitled an act to amend chapter 98, of the Private and Local Laws of 1858, entitled an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof;

An act to authorize the Commercial Bank to reduce its capital stock, and remove its place of business;

An act to amend chapter 2, of the Revised Statutes, entitled of the division of the State into counties, and their boundaries;

An act to extend the time for the collection of a special tax in that part of joint school district No. 9, in the towns of Fox Lake and Courtland, being in the town of Fox Lake;

An act to amend chapter 92, of the General Laws of 1860, entitled an act to amend chapter 131, of the Private and Local Laws of 1857, entitled an act to incorporate the city of Mineral Point;

An act to appropriate to Hitchcock & Co. the sum of \$1,-242 25;

An act to provide for the expenditure of the Drainage Fund moneys in the county of Marathon;

An act to provide for the disposal and expenditure of the Drainage Fund moneys in Brown county;

An act to authorize the construction of a bridge across Fox river, at Wright's Ferry, in Wrightstown, Brown county;

An act to authorize the borough of Fort Howard to issue bonds to aid in the construction of a railroad from Fort Howard to Appleton;

An act providing for a lien for labor and service upon logs and lumber in certain counties;

An act to repeal chapter 268, of the private laws of 1856, entitled an act granting the right to keep and maintain a ferry across the Chippewa river, in Buffalo county;

An act to authorize the cities, towns and villages of the county of Dodge, to retain license moneys in the town, city or village treasuries;

An act to appropriate to O. G. Scofield the sum of \$200.00.

An act to authorize the laying out of a State road from Prairie du Chien to La Crosse;

An act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county;

An act to legalize the sale of land for unpaid taxes in the county of Trempealeau;

An act to amend section 3, of chapter 190, of Revised Statutes, entitled of prisons generally and common jails;

An act to amend chapter 127, of the Revised Statutes, entitled of arrest and bail;

An act to amend section 53, of chapter 140, of the Revised statutes, entitled of miscellaneous proceedings in civil actions, and general provisions;

An act to vacate a certain street in the village of Waukauw, Finnebago county;

J't res., relative to grants of public lands to actual settlers, and to passage of the Homestead bill.

ALEX. W. RANDALL.

On motion of Mr. Palmer,
The Assembly resolved itself into

THE COMMITTEE OF THE WHOLE,

On the general file,
Mr. Palmer in the chair.

After some time spent therein, the committee rose, and by their chairman reported that they had had under consideration the general file, had made progress therein, and reported back the following bills, with the several recommendations thereto, and ask leave to sit again.

Leave was granted.

REPORT OF COMMITTEE OF THE WHOLE

The following bills were reported back with amendments:

No. 158, S., a bill for an act relating to school, university and swamp and overflowed lands, belonging to the State;

No. 586, A., a bill for an act providing for the payment of costs in certain cases.

The following bills were reported back without amendment:

No. 98, S., a bill for an act to amend chapter 25, of title 8, of the Revised Statutes, entitled of the publication of legal decisions;

No. 603, A., a bill for an act to reduce the capital stock of the North Western Bank to \$40,000;

No. 599, A., a bill for an act to amend section 2, of chapter 118, of the Revised Statutes, entitled of grand and petit jurors;

No. 595, A., a bill for an act to vacate certain streets in the village of Sparta;

No. 587, A., a bill for an act proposing an amendment to the constitution of the State of Wisconsin;

No. 546, A., a bill for an act to repeal sections 12 and 18, of chapter 47, of the General Laws of 1857, entitled an act to change the names of certain persons therein named;

No. 477, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Co.;

No. 576, A., a bill for an act to provide for the payment of the costs of foreclosing mortgages in certain cases;

No. 602, A., a bill for an act to reduce the capital stock of the Bank of Racine, to \$20,000;

No. 252, S., a bill for an act to provide for the payment of the sum of money therein named, to Andrew Proudfit, (assignee of Calkins & Webb,) being the amount due for the printing of assessment blanks and forms furnished by the Secretary of State, to the several counties of this State, in the year 1858;

No. 269, S., a bill for an act to provide for the issuing of a patent of certain lands to Michael Gleiter;

No. 217, S., a bill for an act to amend chapter 23 of the Revised Statutes, entitled of common schools.

The following bills were reported back, with recommendation of indefinite postponement:

No. 500, A., a bill for an act to amend section 27, of chapter 23, of the Revised Statutes entitled of common schools;

No. 542, A., a bill for an act to provide for the incorporation of fire companies;

No. 296, A., a bill for an act to authorize the Governor to appoint an Executive Building committee, and to define their duties;

No. 185, S., a bill for an act to authorize the formation of railroad companies and to regulate the same.

The following bills were reported back with the recommendation that the enacting clause be stricken out:

No. 538, A., a bill for an act concerning fences;

No. 564, A., a bill for an act to adjust the boundaries of the Marquette and Green Lake Assembly district;

And,

No. 405, A., a bill for an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection of taxes.

The following bill was reported back, with the recommendation to lie on the table:

No. 553, A., a bill for an act for the rendition of fugitives from labor.

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred account

No. 12, A., the account of Orton & Bryant;

Report back said account and recommend that they have same to withdraw the same.

Also, memorial

No. 159, A., memorial of Seymour Wilcox, praying for compensation for land conveyed to the State, for the State Prison;

No. 309, A., memorial of E. Foote, for relief from expenses in the matter of a writ of *quo warranto*, issued out of the Court of Wisconsin;

Have considered said memorials and report them back with the recommendation that the relief be not granted.

Also, bill

No. 333, A., a bill for an act to pay Matthias Martin the sum of money therein named;

Report the same back and recommend that the enacting clause be stricken out. **HEBER SMITH, Ch'n.**

The committee on Education, School and University Lands to whom was referred

No. 291, S., a bill for an act to amend chapter 23, of the Revised Statutes, entitled of common schools;

Have had the same under consideration and instructed me to report the bill back with the recommendation that it do pass.

EDWARD D. HOLTON, Ch'n.

The committee on Education, School and University Lands, to whom was referred

No. 300, S., a bill for an act to repeal section 3, of chapter 210, of the General Laws of 1859, entitled an act to provide a permanent school library fund;

Have had the same under consideration and direct me to report it back with the recommendation of passage.

E. D. HOLTON,

JAMES CHILD,

M. B. PATCHIN,

WM. W. BLACKMAN.

Messrs. Nash and Schmidtner had leave of absence for two days;

Messrs. Barnum, Neville, VanderCook, Simpson, Jackson and Alden, had leave of absence the remainder of the session.

Mr. Goodwin moved that the rules be suspended, and that

No. 621, A.,

Be taken up and considered.

Mr. Smith moved to amend by adding

No. 317, A.,

Mr. Horn moved to amend the amendment by adding

No. 594, A.

The amendments were accepted, and

Mr. Cobb moved to amend by adding

Nos. 281, 288, and 387, S.

Mr. Ordway moved to amend the amendment by adding

No. 600 A.,

Pending which,

On motion of Mr. Barnum,

The Assembly adjourned.

FRIDAY, March 30, 9 o'clock.

Assembly met.

The Speaker in the chair.

Rev. Mr. Eggleston officiated as chaplain.

The reading of the journal of yesterday was dispensed with.

RESOLUTIONS CONSIDERED.

No. 141, A., relative to the accounts of Mr. Ross, introduced yesterday by Mr. Goodwin.

Debate being intimated, it was laid over.

No. 142, A., relative to blue book;

Introduced by Mr. Winter;

Was adopted.

Leave of absence for the balance of the session was granted to Messrs. McMichael, McKay and Coles.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed

No. 552, S., a bill for an act to appropriate the sum of \$5,000, to the State Reform School;

And ask the concurrence of the Assembly therein.

Said bill was read first and second time and sent to the general file.

MESSAGE FROM THE SENATE;

By J. H. WARREN, Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1856, entitled an act to amend chapter 330, of the Private and Local Laws of 1855;

No. 78, A., a bill for an act to repeal chapter 270, of the Private and Local Laws of 1853, entitled an act to authorize John Marshall, Joseph Bailly, Edward Norris, Jonathan Bow-

man, James Christie, and their successors, to build and maintain a dam across the Wisconsin River;

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled an act to incorporate the Wisconsin River Hydraulic Co.;

No. 492, A., a bill for an act to amend chapter 181, of the General Laws of 1859, entitled an act concerning the amendment of pleadings;

No. 418, A., a bill for an act to amend an act entitled an act to incorporate the village of Waterloo, approved March 15th 1859;

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on State Prison;

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

No. 426, A., a bill for an act to amend section 21, of chapter 134, of the Revised Statutes, entitled of executions and proceedings supplementary thereto;

No. 459, A., a bill for an act to amend section 37, of chapter 135, of the Revised Statutes, entitled of issues, mode of trial and judgment in civil actions;

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

No. 302, A., a bill for an act to vacate certain lots in the town of the Island, in Winnebago county;

No. 368, A., a bill for an act to facilitate the collection of judgments;

No. 541, A., a bill for an act to change the name of Martha Pherm, and to establish her guardianship and heirship;

No. 484, A., a bill for an act relating to the assessment and collection of taxes on school and university and swamp lands, and of all lands mortgaged to the State;

No. 508, A., a bill for an act to legalize certain State roads therein named;

And,

Jt. Res. No. 35, A.,

Relative to bill

No. 52, A.;

Without amendment.

I am also directed to inform you that the Senate has concurred in the passage of,

No. 551, A., a bill for an act to lay out a State road from uneau county to Portage county;

No. 584, A., a bill for an act to amend chapter 9, of the Revised Statutes, entitled of the Legislature, and also acts of a general nature, of 1858, incorporated therein;

No. 212, A., a bill for an act to empower cities, towns and villages to grant the use of the streets therein to certain railway companies;

And,

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds, issued to aid in the construction of the Mississippi railroad;

With amendments,

And asks the concurrence of the Assembly therein.

I am directed to inform you that the Senate has passed

No. 361, S., a bill for an act to provide for an appeal from the decision of the State Auditor to the Supreme Court, in certain cases;

No. 358, S., a bill for an act in relation to the terms of the circuit court in Winnebago county;

No. 246, S., a bill for an act regulating plank, turnpike and MacAdamized roads;

No. 369, S., a bill for an act for the relief of the city of La Crosse;

Jt. Res. No. 25, S.,

Relative to the appointment of a commissioner for revising the school laws;

In which the concurrence of the Assembly is requested.

I am further directed to inform you that the Senate has concurred in the Assembly amendment to

No. 55, S., a bill for an act to establish an official State paper;

No. 177, S., a bill for an act to establish a highway in the town of Medina;

No. 211, S., a bill for an act to provide for letting the public printing by contract and to establish maximum prices for the execution thereof.

I am also directed to inform you that the Senate has refused to concur in the Assembly amendments to

No. 321, S., a bill for an act to amend chap. 81, of the Revised Statutes entitled of the State Historical Society.

The Senate has also appointed a committee of Conference, consisting of Senators Rodolf and Comstock on

No. 328, A., a bill for an act to amend chapter 151, of the General Laws of 1859, entitled an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chap. 150, of the Revised Statutes;

I am also directed to inform you that the Senate has adopted the report of the committee of Conference on

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county.

• MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER—

I am directed to inform you that the Senate has adopted the report of the committee of Conference on

No. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled "of the assessment and collection of taxes."

SENATE MESSAGE CONSIDERED.

The following bills were read the first and second times and referred to the general file:

No. 261, S., a bill for an act to provide for an appeal from the decision of the State auditor to the Supreme Court in certain cases;

No. 819, S., a bill for an act for the relief of the city of La Crosse;

And,

No. 346, S., a bill for an act regulating plank, turnpike and McAdamized roads;

No. 388, S., a bill in relation to the terms of the circuit court in Winnebago county;

Was referred to the Winnebago county delegation.

The Senate amendments to

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

And,

No. 551, A., a bill for an act to lay out a State road from Juneau county to Portage county;

Were severally concurred in.

The Senate amendment to

No. 534, A., a bill for an act to amend chap. 9 of the Rev. Statutes, entitled of the Legislature; and also acts of a general nature of 1858, incorporated therein;

Being under consideration, debate was intimated,

And the bill was laid over.

The Senate refusing to concur in the amendment of the Assembly to

No. 321, S., a bill for an act to amend chap. 81, of the Rev. Statutes, entitled of the State Historical Society.

Mr. Elmore moved that the Assembly insist on its amendment to

No. 321, S.,

And ask for a committee of Conference.

Mr. Bouck objected to the motion.

Mr. Judd moved that the Assembly recede.

Mr. Elmore moved that the Assembly insist on its amendments, and that a committee of conference consisting of Messrs. Judd, Munn and Ordway, be appointed;

Which was agreed to.

The Senate amendment to

No. 452, and 551, A.,

Were concurred in.

Mr. Palmer moved a suspension of the rules, in order to consider the Senate amendment to

No. 212, A.,

The ayes and noes were called and ordered,

The rules were suspended,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Baldwin, Barden, Bettis, Beath, Blackman, Bouck, Bow, Boyd, Bunn, Child, Cobb, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Griffin, Griswold, Hammarquist, Hartung, Hayden, Ilesk, Holton, Howland, Judd, Keogh, Kiefer, Langland, Lewis, McKay, Meigs, Miller, Mitchell, Moore, Munn, Nash, Ordway, Palmer, Phillips, Robertson, Ruan, Seaton, Smith, Spottswood, Stannard, Sutton, Weage, Westby, Wheeler, Whittlesey, Whiting, Win-
er, Wood, Young and Mr. Speaker—57.

Those who voted in the negative were

Messrs. Ballantine, Clise, Humann, Rogers and Upson—5.

Mr. Palmer moved the previous question.

Which was ordered, and

The question being, shall the main question be now put,

It was decided in the affirmative, and

The question being on concurring in the Senate amendment,

The ayes and noes were called for and ordered,

And the Assembly refused to concur by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Bachuber, Ballantine, Griswold, rn, Humann, Hunkins, Jackson, Keogh, Kiefer, Langland, Kay, Mitchell, Robertson, Ruan, Upson, Whittlesey, ang and Mr. Speaker—20.

Those who voted in the negative, were

Messrs. Baldwin, Bettis, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hammarquist, Hartung, Hayden, Howland, Judd, Lewis, Moore, Nash, Neville, Ordway, Palmer, Patchin, Phillips, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Westby, Wheeler, and Whiting—42.

MESSAGE FROM THE SENATE,

By J. H. WARREN, Esq. Chief Clerk thereof :

MR. SPEAKER:—

I am directed to present to you for signature, the following bills:

No. 13, S., an act to amend chapter 12, of the Revised Statutes, entitled of Notaries Public;

No. 254, S., an act to create the town of Forsyth, and to amend chapter 330, of the Private and Local Laws of 1857, incorporate the city of Berlin;

No. 323, S., an act to establish terms of the circuit court in the counties of Crawford and Buffalo, in the sixth judicial circuit;

No. 32, S., an act granting certain swamp and overflowed lands to the counties of Crawford, Bad Ax and LaCrosse;

Said bills were signed by the Speaker.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof :

MR. SPEAKER:

I am directed to present to you for signature, the following bills:

No. 55, S., an act to establish an official State paper;

No. 301, S., an act to provide for the government of the Wisconsin State Hospital for the Insane, and for other purposes.

Said bills were signed by the Speaker.

Mr. Horn moved a suspension of the rules, in order that No. 594, A.,

Be taken up and put upon its passage.

Mr. Ordway moved to amend by including

No. 600, A.

Mr. Goodwin moved to amend the amendment by including No. 621, A.

On motion of Mr. Bouck,

The motions were laid on the table.

Mr. Judd moved that the rules be suspended, and all bills which do not elicit debate, be taken up, in order to pass;

The rules were suspended,

The following bills were read the third time and passed:

No. 269, S., a bill for an act to provide for the issuing patent of certain lands to Michael Gleiter;

No. 578, A., a bill for an act for the relief of John Bender;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bouck, Bovay, Bow, Boyd, Bunn, Burt, Child, Cobb, Coles, Dockry, Elmore, Fairchild, Farwell, Fischer, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hayden, Holton, Horn, Humann, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Langland, Meigs, Miller, Mitchell, Moore, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Sutton, Upson, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—63.

Mr. Howland voted in the negative.

No. 581, A., a bill for an act to provide for the indexing and transcribing the journals of the Senate and Assembly;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bouck, Bovay, Bow, Bugh, Bunn, Burt, Child, Cobb, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Horn, Humann, Judd, Keogh, Kiefer, Langland, Mackay, McKay Miller, Mitchell, Ordway, Patchin, Phillips, Robertson, Rogers, Ruan, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Upson, Wenge, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—58.

Mr. Howland voted in the negative.

No. 284, S., a bill for an act to grant a certain island in the Wisconsin river to Orestes Garrison and H. W. Jackson;

The ayes and noes were called for and ordered, and

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Baldwin, Bartlett, Boyd, Bugh, Child, Elmore, Goodwin, Griffin, Grover, Hartung, Hesk, Holton, Hunkins, Judd, Kiefer, Langland, McKay, McMichael, Miller, Mitchell, Moore, Munn, Palmer, Patchin, Phillips, Rankin,

Sumner, Upson, Whittlesey, Wood, Young and Mr. Speaker—33.

Those who voted in the negative, were

Messrs. Ahlhauser, Ballantine, Barden, Bettis, Beath, Blackman, Bouck, Bow, Bunn, Burt, Cobb, Golden, Griswold, Hammarquist, Hayden, Horn, Howland, Humann, Lewis, Meigs, Ordway, Robertson, Rogers, Ruan, Smith, Spottswood, Stannard, Weage, Westby, Wheeler, Whiting and Winter—32.

No. 153, S., a bill for an act relating to School, University Swamp and overflowed lands belonging to the State, and to repeal section 9, of chapter 29, of the Revised Statutes;

Was amended, and

The ayes and noes being called for,

The bill was concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Bugh, Bunn, Burt, Child, Cobb, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griswold, Hammarquist, Horn, Howland, Humann, Hunkins, Jackson, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, McKay, Moore, Ordway, Phillips, Rankin, Robertson, Rogers, Ruan, Seaton, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Whittlesey, Wood, Young and Mr. Speaker—57.

Those who voted in the negative were

Messrs. Ahlhauser and Meigs—2

No. 270, S., a bill for an act to provide for the auditing of claims and accounts against the State;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesik, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 283, S., a bill for an act to appropriate the sum of \$5,000 to the State Prison Commissioners;

The ayes and noes being required,
The bill was passed by the following vote:

Those who voted in affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 281, S., a bill for an act to authorize the State Prison Commissioner to purchase or sell land as therein named;

The ayes and noes being required,

The bill passed—by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan, and Upson—14.

No. 264, S., a bill for an act to appropriate to Josiah W. Seeley the sum of \$15 25;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner,

Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan, and Upson—14.

No. 339, S., a bill for an act to appropriate to B. Domschke the sum of \$155;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 331, S., a bill for an act to appropriate to Berliner & Bruno the sum of \$20;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 39, S., a bill for an act to appropriate to D. A. Reed the sum of \$8.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan, and Upson—14.

No. 843, S., a bill for an act to authorize the Secretary of State to audit certain accounts;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative, were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Jobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative, were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan, and Upson—14.

No. 845, S., a bill for an act to appropriate the sum of \$4,000 for the purchase of stationery, for the use of the State officers, and the Legislature for the ensuing year.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner,

Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 244, S., a bill for an act to provide for the payment of the chaplains to the Legislature for the year 1860.

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesik, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 357, S., a bill for an act to appropriate to the Wisconsin State Hospital for the Insane a sum of money therein named to pay the debts existing against said institution;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesik, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 655, A., a bill for an act to appropriate to C. V. N. Kittridge the sum of \$52 77;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bartlett, Bettis, Beath, Blackman, Bugh, Burt, Child, Cobb, Dickson, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Holton, Hunkins, Judd, Kingsbury, Langland, Lewis, McKay, Miller, Moore, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Weage, Wescott, Whittlesey, Whiting, Wood, Young and Mr. Speaker—53.

Those who voted in the negative were

Messrs. Ahlhauser, Bouck, Bovay, Boyd, Elmore, Howland, Humann, Kiefer, Meigs, Mitchell, Munn, Rankin, Ruan and Upson—14.

No. 618, A., a bill for an act to authorize the commissioners of school and university lands to purchase certain lands therein named, and to appropriate moneys for the payment of said lands;

No. 352, S., a bill for an act to appropriate the sum of \$5,000 to the State Reform School;

Mr. Elmore moved to amend the bill by adding to section 1: "\$3,500 for the support of the institution;"

The amendment was adopted, and

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Altenhofen, Baldwin, Bartlett, Bettis, Blackman, Bouck, Boyd, Bugh, Bunn, Burt, Cobb, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Grover, Hartung, Hesk, Holton, Horn, Hunkins, Judd, Miller, Palmer, Phillips, Rankin, Robertson, Rogers, Ruan, Weage, Westby, Whiting, Wood, Young and Mr. Speaker—39.

Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Beath, Bovay, Brooks, Child, Cle, Dockry, Griswold, Howland, Kiefer, Kingsbury, Langland, Lewis, Meigs, Mitchell, Moore, Munn, Ordway, Seaton, Simpson, Smith, Spottswood, Sumner, Sutton, Upson, West, Wheeler and Winter—29.

No. 340, S., a bill for an act to appropriate a contingent fund school and university land commissioners;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay,

Boyd, Brooks, Bugh, Bunn, Child, Cobb, Cole, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Holton, Horn, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Meigs, Miller, Mitchell, Ordway, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Wescott, Whiting, Wood, Young and Mr. Speaker—59.

Those who voted in the negative were

Messrs. Howland, Palmer, Ruan and Sutton—4.

No. 656, A., a bill for an act to appropriate to Bliss, Eberhard & Festner, the sum of \$62 74;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Ballantine, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Boyd, Brooks, Bugh, Bunn, Child, Cobb, Cole, Dickson, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Holton, Horn, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Langland, Lewis, Meigs, Miller, Mitchell, Ordway, Rankin, Robertson, Rogers, Seaton, Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Westby, Wescott, Whiting, Wood, Young and Mr. Speaker—59.

Those who voted in the negative were

Messrs. Howland, Palmer, Ruan and Sutton—4.

The Assembly refused to pass

No. 240, A., a bill to provide for continuing the work upon the State Capitol,

By the following vote:

Those who voted in the affirmative were

Messrs. Bartlett, Beath, Blackman, Bouck, Bovay, Boyd, Burt, Cobb, Cole, Fairchild, Farwell, Goodwin, Griffin, Hartung, Judd, Keogh, Kingsbury, Meigs, Munn, Ordway, Palmer, Patchin, Phillips, Robertson, Sutton, Whittlesey, Wood and Mr. Speaker—28.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bettis, Bugh, Bunn, Child, Dickson, Elmore, Golden, Griswold, Hammarquist, Hayden, Holton, Howland, Humann, Kiefer, Langland, McKay, Miller, Mitchell, Moore, Rankin, Rogers, Ruan, Seaton, Smith, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whiting, Winter and Young—40.

Also refused to pass

No. 155, S., a bill for an act to authorize the Secretary of State to purchase additional copies of the sixth and seventh volumes of the Wisconsin Reports ;

By the following vote:

Those who voted in the affirmative were

Messrs. Alden, Fairchild, Hunkins and Wescott—4.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Barden, Bettis, Beath, Blackman, Bouck, Bovay, Boyd, Bugh, Bunn, Burt, Child, Cobb, Dickson, Dockry, Elmore, Golden, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hesk, Howland, Humann, Keogh, Kiefer, Kingsbury, Langland, Lewis, McKay, Meigs, Mitchell, Moore, Munn, Ordway, Palmer, Robertson, Rogers, Ruan, Seaton, Simpson, Spottswood, Stannard, Sumner, Sutton, Upson, Westby, Wheeler, Whiting, Winter, Wood, Young and Mr. Speaker—56.

The following bill was laid on the table:

No. 647, A., a bill for an act to purchase certain documents in the German language, and to provide for the payment thereof,

By the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Altenhofen, Ballantine, Barden, Beath, Bouck, Boyd, Bugh, Bunn, Child, Cole, Dockry, Elmore, Fairchild, Golden, Griffin, Griswold, Grover, Hayden, Howland, Humann, Judd, Keogh, Kiefer, Langland, Lewis, Mackay, McMichael, Miller, Moore, Munn, Ordway, Palmer, Rankin, Ruan, Seaton, Simpson, Smith, Stannard and Upson—41.

Those who voted in the negative, were

Messrs. Alden, Bachuber, Baldwin, Bartlett, Bettis, Blackman, Bovay, Brooks, Cobb, Dickson, Goodwin, Hammarquist, Hartung, Hesk, Holton, Hunkins, Kingsbury, Meigs, Mitchell, Phillips, Robertson, Rogers, Spottswood, Weage, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—31.

The enacting clause, to

No. 333, A., a bill for an act to pay Mathias Martin the sum of money therein named;

Was stricken out.

No. 520, A., a bill for an act to appropriate to Wm. E. Craker;

And,

No. 645, A., a bill for an act to appropriate N. L. Andrews certain sum of money therein named;

Were indefinitely postponed.

On motion,

The rules were suspended, and

Nos. 195, S., 600, A., 311, S., and 358, S.,

Were taken up.

No. 195, S., a bill for an act to re-annex certain lands to the towns of Wauwatosa, Greenfield, Lake and Milwaukee, in the county of Milwaukee;

Was read the third time, amended and concurred in.

No. 600, A., a bill for an act to amend an act, entitled an act to incorporate the Merchants Mutual Insurance Company, of Milwaukee, and the acts amendatory thereof;

Was taken up, read a third time and passed.

Mr. Elmore moved to reconsider the vote by which the Assembly concurred in the passage of

No. 195, S.,

Which was agreed to.

Mr. Hayden moved to lay the bill on the table;

Which the Assembly refused to do.

Mr. Elmore moved to reconsider the vote by which the amendment to

No. 195, S.,

Was adopted,

Which was agreed to, and

The bill was further amended, read the third time, and concurred in as amended.

The substitute to

No. 358, S., a bill for an act in relation to the terms of the circuit court, in Winnebago county;

Was adopted,

And the bill read the third time and concurred in as amended.

No. 311, S., a bill for an act to amend chapter 258, of the Session Laws of 1850, entitled an act to incorporate the Fort Winnebago and Duck Creek Plankroad Company;

Was read the third time and passed.

The rules were suspended, and

No. 629, A., a bill for an act to perfect the geological survey of the State;

Was taken up,

Read the third time and passed, by the following vote:

Those who voted in the affirmative, were

Messrs. Barden, Bartlett, Blackman, Brooks, Bugh, Child, Cobb, Fairchild, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Holton, Howland, Judd, Keogh, Langland, Moore, Mulholland, Ordway, Palmer, Patchin, Phillips, Rankin, Rogers, Simpson, Smith, Spottswood, Sumner, Westby, Wescott, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—40.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Beath, Bouck, Bovay, Boyd, Cole, Dickson, Dookry, Elmore,

Hayden, Hesk, Humann, Hunkins, Kiefer, Kingsbury, Lewis, McKay, Meigs, Robertson, Sutton and Winter—24.

REPORTS OF COMMITTEES.

The committee on Town and County Organization, to whom was referred

Mems. Nos. 328, 181, 272 and 316, A., on various subjects;

Have severally been considered, and I am directed to report the same back to the Assembly, with the recommendation that no further action be taken on said memorials.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred bill

No. 349, A., a bill for an act to alter the boundaries of Shawano county;

Have considered the same, and have instructed me to report the same back to the Assembly, with the recommendation that the enacting clause be stricken out.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred bill

No. 568, A., a bill for an act to vacate certain territory in the village of Avoca, in the county of Iowa;

Have considered the same, and I am directed to report the same back, and recommend that the same be indefinitely postponed.

J. P. DICKSON, *Ch'n.*

The committee on Town and County Organization, to whom was referred

Mems. Nos. 160, 305, 314, 87, 90, 91, 88, 275 and 251, A., on various subjects;

Herewith return the same, and recommend that they be indefinitely postponed.

J. P. DICKSON, *Ch'n.*

The committee of Conference to whom was referred Assembly bill

No. 37, A., entitled a bill for an act in relation to the abatement and revivor of suits;

Recommend that the amendment of the Senate, striking out

section six, (6) be concurred in, and that the Senate recede from its amendment striking out section five, (5).

M. W. SEELEY,

C. G. RODOLF,

Committee on the part of the Senate.

GAB. BOUCK,

H. L. PALMER,

A. COBB,

Committee on the part of the Assembly.

The report of the committee was concurred in.

The committee on Enrolled Bills report that they have examined and compared the following bills and find them correctly enrolled:

No. 521, A., a bill for an act to amend an act entitled an act to incorporate the city of Racine, in the county of Racine, approved August 8, 1848, and the several acts amendatory thereof;

Also,

No. 169, A., a bill for an act regulating the rights of miners and persons digging for lead ore;

Also,

No. 445, A., a bill for an act to provide for the disposal and expenditure of drainage fund in Oconto county;

Also,

No. 398, A., a bill for an act to vacate and extinguish the the town of Orwell in the county of Racine, and to attach the territory comprising the same to the towns of Mt. Pleasant and Caledonia, in said county;

Also,

No. 383, A., a bill for an act to equalize the State tax for Brown county.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on the Judiciary to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly, and recommend their passage respectively:

No. 173, S., a bill for an act to amend section 95, of chapter 18, of the Revised Statutes, entitled of the assessment an collection of taxes, and sections 57 and 127 of the Revised Statutes entitled of counties and county officers;

No. 246 1-2, S., a bill for an act to repeal section 2, of chapter 197, of the Laws of 1859, entitled an act in relation to evidence and limitation in certain cases.

AMASA COBB, *Ch'n.*

The select committee consisting of the delegation from Winnebago, Outagamie, Shawanaw and Waupaca counties, and Mr. Lewis, to whom was referred

Mem. No. 270, A., petition of Philetus Sawyer and others, concerning dams on Little Wolf River;

Report the same back without any recommendation.

GAB. BOUCK, *Ch'n.*

The joint select committee on the State Historical Society, to which was referred

No. 560, A., a bill for an act to repeal chapter 81, of the Revised Statutes, entitled of the State Historical Society, and to relinquish to said Society any and all claim the State may have therein, and to repeal part of chapter 11, of the Revised Statutes entitled of the salaries of State officers and others;

Have instructed me to report the said bill back with a recommendation that it be postponed indefinitely.

STODDARD JUDD, *Ch'n.*

On the part of the Assembly;

The committee on Town and County Organization to whom was referred

The petition of Wm. Woodcock and 28 others, for a division of Milwaukee county;

Also petition of 86 citizens of Dodge county, asking for the passage of a law submitting the question of the division of said county to a vote of the people thereof;

Have had the same under consideration, and instructed me to report said petitions back to the Assembly, and recommend at the further consideration of the same be indefinitely postponed, believing that whenever the necessity for a division of either of those counties exists, it will be asked for by petitions more numerous signed.

J. P. DICKSON, *Ch'n.*

The committee on Ways and Means, to which was referred No. 186, S., a bill for an act to provide for apportioning State and county taxes among towns, cities and incorporated villages the year 1860;

Have considered the bill and recommend its passage.

The same committee have examined,

No. 110, A., a bill for an act to amend chapter 81, of the Revised Statutes, entitled of the State Historical Society; and recommend its indefinite postponement.

STODDARD JUDD, *Ch'n.*

The Select committee, to whom was referred, Memorial No. 356;

The memorial of Walter S. Babcock;

Would beg leave to report the same back without any recommendation.

M. MITCHELL, *Ch'n.*

The Milwaukee county delegation return

No. 853, A., memorial of John B. Dwyer and others, against having certain property taken out of the present boundaries of the city of Milwaukee,

Have had the same under consideration, and return the same with the recommendation to lie on the table.

E. D. HOLTON,
For Delegation.

The committee on Education, School and University Lands, to whom was referred bill

No. 19, entitled an act to incorporate school district No. 3, in the town of Burlington, Racine county,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The committee on Education, School and University Lands to whom was referred

Mem. No. 61, petition of school board of district No. 8, and of the superintendent of the town of Burlington, Racine county, for an act to enlarge said district;

And,

Mem. No. 78, petition of Wm. Haley and fourteen others, to organize school district No. 3, in the town of Burlington, Racine county;

And,

Mem. No. 79, a remonstrance of Ephraim Sawyer and 103 others, against dividing union school district, in the town of Burlington, Racine county,

Have had the same under consideration, and direct me to report the same back with the recommendation that their further consideration be indefinitely postponed.

EDWARD D. HOLTON, *Ch'n.*

The committee on Claims to whom was referred account

No. 97, A., the account of Bliss, Eberhard and Fester, for stationery for the use of the State, also for newspapers furnished members and officers of this Legislature, in accordance with resolution No. 33, A.;

Have had said account under consideration, and have instructed me to report back so much of said account as relates to newspapers, with the recommendation that the owners have leave to withdraw the same, and so much as relates to stationery for the use of the State, report back by bill,

No. 656, A., a bill for an act to appropriate to Bliss, Eberhard and Festner, the sum of \$62.24;

And recommend the passage of said bill.

Also, account,

No. 98, A., the account of Mosely & Brother, for newspapers furnished members and officers of this Legislature, according to Res. No. 33, A.

Report it back, and recommend that the owners have leave to withdraw said account.

No. 656, A., was read twice and placed in general file.

HEBER SMITH, *Ch'n.*

The committee on Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report them back to the Assembly, with the recommendation that the enacting clauses of said bills be severally stricken out:

No. 162, A., a bill for an act to amend chapter 139, of the Revised Statutes entitled of appeals and writs of error, and proceedings thereon;

No. 140, A., a bill for an act to legalize the assessment rolls of the town of Whitewater, in the county of Walworth;

No. 329, A., a bill for an act to amend chapter 153, of the Revised Statutes, entitled of the lien of mechanics and others;

No. 178, A., a bill for an act to amend chapter 109, of the Revised Statutes entitled of marriage;

No. 166, A., a bill for an act to amend chapter 157, of the Revised Statutes, entitled of actions against the State.

W. P. BARTLETT.

The joint committee of Conference, on the disagreement between the Houses, on the passage of

Jo. 11, S., a bill for an act to amend chapter 167, of the General Laws of 1859, entitled an act to amend chapter 18, of the Revised Statutes, entitled of the assessment and collection taxes;

have had the subject under consideration, and recommend said bill as it passed the Senate, be amended in the following manner:

t. Strike out the 9th subdivision of said bill, and insert following to stand as subdivision nine:

Strike out the words, "or other personal property," where they occur in the 9th subdivision of section 8, of the act to which this is an amendment.

2d. Strike out of the 11th subdivision of said Senate bill after the word "following," where it first occurs, to and including the word "assessor," in line 7, of engrossed bill, and insert the words—"the assessor or assessors."

3d. Strike out of the 11th subdivision of said bill, the words "twenty-six," where they occur in line 81 of printed bill—7th line from the end of said subdivision, in engrossed bills.

The committee recommend that the Senate agree to the foregoing amendments to said bill, and when so amended, the Assembly recede from its nonconcurrence in the passage of said bill.

A. I. BENNETT,
CHAS. G. RODOLF,
Senate Committee.

A. E. ELMORE,
EDWARD D. HOLTON,
W. M. GRISWOLD,
Assembly Committee.

The undersigned cannot let the above report go forth without entering their protest against our present law on the subject of assessments, and have signed the report of the committee of Conference, recommending the passage of the Senate bill with amendments, only for the reason that it is a slight improvement on the law of last year, and as this is the last working day of the session. We are compelled to say, as did the man who had the ague, "it is better than nothing."

ANDREW E. ELMORE,
W. M. GRISWOLD.

The report of the committee of Conference, on said bill was concurred in by the following vote :

Those who voted in the affirmative, were

Messrs. Baldwin, Ballantine, Barden, Bartlett, Blackman, Bovay, Brooks, Bugh, Bunn, Child, Cobb, Dickson, Dockry, Elmore, Farwell, Golden, Goodwin, Griswold, Hammarquist, Holton, Howland, Langland, Lewis, McKay, Mitchell, Moore, Ordway, Phillips, Robertson, Ruan, Seaton, Spottswood, Sumner, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Wood and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bettis, Beath, Bouck, Boyd, Cole, Fairchild, Griffin, Hesk, Humann, Hunkins, Judd, Keogh, Kiefer, Kingsbury, Meigs, Munn, Palmer,

Bogers, Simpson, Smith, Stannard, Sutton, Whiting, Winter and Young--28.

The committee on the Judiciary, to whom was referred the following bills,

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the same be severally indefinitely postponed:

No. 140, S., a bill for an act to amend chapter 167, of the Revised Statutes, entitled of offences against public justice;

No. 812, S., a bill for an act to amend section 1, chapter 188, of the Revised Statutes, entitled of the limitation of action.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following memorials, &c., report the same back to the Assembly, and ask to be discharged from the farther consideration hereof respectively, for the following reasons:

Mem. No. 150, A., petition of Francis D. Weld, concerning the laws relating to laying out State roads;

For the reason that the objects contemplated thereby have been already fully provided for by law.

Mem. No. 264, A., of Rufus Cowles and others, relating to justices' jurisdiction;

For the reason that, in the opinion of your committee, the prayer of the petition ought not to be granted.

Mem. No. 293, A., petition of Gid. F. Fenton and others; For the same reason.

Mem. No. 214, A., memorial of James I. Hempsted, relative to establishing school house sites;

For the reason that a bill for that purpose has already passed.

Mems. Nos. 7 and 17, A., relative to insurance companies; Because the prayer of the petitioners ought not to be granted.

Mem. No. 176, A., of citizens of Milwaukee, relative to the rights of mechanics and others;

For the reason that your committee have already reported several bills on that subject.

Mem. No. 248, A., petition of J. H. Clary, and others, for amendment to the charter of the city of Mineral Point;

For the reason that action has already been had on that subject.

AMASA COBB, *Ch'n.*

The committee on the Judiciary to whom was referred

No. 185, A., a bill for an act relating to garnishee process;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the further consideration thereof be indefinitely postponed.

AMASA COBB, *Ch'n.*

The committee on the Judiciary, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the enacting clause of said bills be severally stricken out:

No. 151, A., a bill for an act relative to appeals in equity cases;

No. 427, A., a bill for an act relating to notices affecting real estate;

No. 428, A., a bill for an act to provide for the registering of certain marks on logs and timber;

No. 467, A., a bill for an act to amend section 6, of chapter 128, of the Revised Statutes, entitled of claim and delivery of personal property;

No. 516, A., a bill for an act to amend chapter 120, of the Revised Statutes, entitled appeals to the circuit or county court from justices judgments;

No. 474, A., a bill for an act to authorize bondholders, creditors and stockholders of railroad companies to redeem the same after the foreclosure and sale thereof under any mortgage thereupon;

No. 242, A., a bill for an act authorizing the city of Milwaukee to construct, maintain and operate horse railroads;

No. 478, A., a bill for an act concerning creditors bills;

No. 119, A., a bill for an act to amend section 27, of chapter 132, of the Revised Statutes, entitled of issues, mode of trial and judgment in civil actions.

AMASA COBB, *Ch'n.*

The select committee to whom was referred

No. 353, S., a bill for an act in relation to the terms of the circuit court in Winnebago county;

Report the same back with a substitute, and recommend the passage of the substitute.

G. B. GOODWIN, *Ch'n.*

Messrs. Stannard and Meigs had leave of absence for the remainder of the session.

On motion of Mr. Holton,

The Assembly took a recess till 2 o'clock.

2 o'clock, P. M.

The Assembly was called to order by the Speaker.

On motion of Mr. Buck,

All rules, except such as prohibit debate, were suspended.

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State;

Was read a third time and passed.

REPORT OF COMMITTEE OF THE WHOLE,

Considered.

The rules were suspended and the following bills were read the third time and passed:

No. 546, A., a bill for an act to repeal sections 12 and 13, of chapter 47, of the General Laws of 1859, entitled an act to change the names of certain persons therein named.

No. 595, A., a bill for an act to vacate certain streets in the village of Sparta;

No. 599, A., a bill for an act to amend section 2, of chapter 18, of the Rev. Statutes, entitled of grand and petit jurors;

No. 603, A., a bill for an act to reduce the capital stock of the North-Western Bank to \$40,000;

No. 602, A., a bill for an act to reduce the capital stock of the Bank of Racine to \$25,000;

All rules were suspended and the following bills were read a third time and passed:

No. 256, S., a bill for an act to incorporate the Winslow and Westtown Railroad Company;

No. 317, S., a bill for an act for the relief of the "Frontier Bank," and for its removal to Juneau, Dodge county;

No. 623, A., a bill for an act to authorize the German Bank to reduce its capital;

No. 621, A., a bill for an act to provide for the election of directors of the Manitowoc and Mississippi Railroad;

No. 348, S., a bill for an act to prohibit officers and agents of the State from contracting indebtedness against the State;

No. 304, S., a bill for an act to amend chap. 157, of the Revised Statutes, entitled of actions against the State;

The yeas and nays being required

The bill was concurred in by the following vote:

Those who voted in the affirmative were

Messrs. Altenhofen, Buchner, Baldwin, Bartlett, Beath, Bow,

Boyd, Bugh, Burt, Dockry, Elmore, Fairchild, Farwell, Golden, Goodwin, Grover, Hammarquist, Hartung, Hesk, Holton, Humann, Hunkins, Judd, Kiefer, Kingsbury, Munn, Palmer, Robertson, Ruan, Simpson, Smith, Sutton, Weage, Westby, Wescott, Whittlesey, Wood, Young and Mr. Speaker—39.

Those who voted in the negative were

Messrs. Ahlhauser, Ballantine, Barden, Bettis, Blackman, Bouck, Bovay, Brooks, Child, Cobb, Griswold, Howland, Mitchell, Moore, Ordway, Phillips, Rankin, Seaton, Spottswood, Stannard, Sumner, Upson, Wheeler and Whiting—24.

No. 252, S., a bill for an act to provide for the payment of the sum of money therein named to Andrew Proudfit, assignee of Calkins & Webb, being the amount due for the printing of the assessment blanks and forms furnished by the Secretary of State to the several counties of this State, in the year A. D. 1858.

Mr. Howland moved to amend by a substitute;

Which the Assembly refused.

Mr. Ordway moved to amend by adding to section 1, the words: "before any such tax shall be levied on any such county;"

Which was adopted.

Mr. Bovay moved to amend by striking out "one dollar," in section 3, and insert "fifty cents;"

The Assembly adopted the amendment;

And the question being on the passage of the bill,

It was concurred in, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Baden, Bartlett, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Burt, Child, Cole, Dickson, Dockry, Elmore, Fairchild, Golden, Griffin, Griswold, Hammarquist, Hartung, Hesk, Humann, Hunkins, Judd, Kiefer, Kingsbury, Lewis, McKay, Meigs, Mitchell, Munn, Ordway, Palmer, Patchin, Rankin, Robertson, Rogers, Ruan, Schmidtner, Seaton, Simpson, Smith, Sumner, Sutton, Weage, Westby, Wescott, Wheeler, Winter, Wood, Young and Mr. Speaker—57.

Those who voted in the negative were

Messrs. Baldwin, Bettis, Bunn, Cobb, Goodwin, Langland, Moore, Stannard and Whiting—9.

No. 93, S., a bill for an act to amend chapter 25, of title 8, of the Revised Statutes, entitled of the publication of legal decisions.

The ayes and noes being called for,

The bill passed, by the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Barden, Bartlett, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Child, Cobb, Cole, Dickson, Fairchild, Farwell, Golden, Goodwin, Grover, Hartung, Hayden, Holton, Humann, Judd, Kingsbury, Langland, Miller, Mitchell, Munn, Neville, Ordway, Palmer, Patchin, Phillips, Rankin, Robertson, Rogers, Simpson, Smith, Sutton, Weage, Whittlesey, Young and Mr. Speaker—46.

Those who voted in the negative, were

Messrs. Bunn, Dockry, Elmore, Griffin, Griswold, Hesck, Howland, Kiefer, McKay, Moore, Seaton, Spottswood, Upson and Wheeler—14.

No. 880, A., a bill for an act to amend section 11, of chapter 188, of the Revised Statutes, entitled of the State Prison;

The ayes and noes being called for and ordered,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Blackman, Bouck, Boyd, Bugh, Bunn, Cobb, Cole, Dickson, Dockry, Elmore, Fairchild, Farwell, Griffin, Grover, Hartung, Hayden, Hesck, Howland, Judd, Kiefer, Kingsbury, Miller, Munn, Ordway, Palmer, Robertson, Seaton, Simpson, Spottswood, Upson, Whittlesey, Wood, Young and Mr. Speaker—38.

Those who voted in the negative were

Messrs. Baldwin, Bettis, Bovay, Brooks, Child, Golden, Goodwin, Griswold, Holton, Humann, Langland, McKay, Mitchell, Moore, Rankin, Rogers, Smith, Sumner, Weage, Vestby and Wheeler—21.

No. 120, S., a bill for an act relative to proceedings in county courts in certain cases;

No. 279, A., a bill for an act relating to discipline of convicts in the State Prison;

Was amended and concurred in.

The Assembly refused to pass

No. 477, A., a bill for an act to incorporate the Eau Claire Manufacturing and Booming Company;

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bartlett, Beath, Bovay, Boyd, Bugh, Cobb, Dickson, Farwell, Goodwin, Griffin, Humann, Judd, Langland, Mitchell, Mulholland, Palmer, Patchin, Robertson, Rogers, Ruan, Seaton, Spottswood, Sumner, Wescott, Young and Mr. Speaker—27.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Bouck, Bow, Brooks, Child, Dockry, Elmore, Golden, Hammarquist, Hartung, Hayden, Hesck, Holton, Kiefer, Kingsbury, McKay, Munn,

Ordway, Rankin, Stannard, Upson, Weage, Westby, Wheeler, Whittlesey and Wood—29.

No. 537, A., a bill for an act proposing an amendment to the Constitution of the State of Wisconsin;

The rules were suspended by the following vote:

Those who voted in the affirmative were

Messrs. Bettis, Beath, Bouck, Bovay, Bow, Brooks, Bugh, Bunn, Burt, Child, Cole, Dickson, Elmore, Fairchild, Golden, Goodwin, Griffin, Griswold, Grover, Hartung, Hayden, Holton, Howland, Kingsbury, Langland, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood and Young—45.

Those who voted in the negative were

Messrs. Ahlhauser, Bachuber, Bartlett, Boyd, Cobb, Dockry, Humann, Kiefer, Rankin, Spottswood and Weage—11.

The question being on the passage of the bill,

The Assembly refused to pass by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Bettis, Beath, Bovay, Brooks, Burt, Child, Dickson, Elmore, Farwell, Golden, Grover, Hammarquist, Hartung, Hayden, Holton, Hunkins, Langland, McKay, Mitchell, Munn, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Wescott, Wheeler, Whittlesey, Whiting, Wood and Young—33.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Bartlett, Blackman, Bouck, Bow, Boyd, Bugh, Bunn, Cobb, Dockry, Fairchild, Goodwin, Griffin, Griswold, Hask, Howland, Humann, Judd, Kiefer, Kingsbury, Meigs, Moore, Palmer, Ruan, Seaton, Simpson, Spottswood, Sutton, Upson, Weage, and Winter—34.

The Assembly refused to pass

No. 611, A., a bill for an act to amend chapter 218, of the Private and Local Laws of 1859, entitled an act to amend section 6, of chapter 6, of Private and Local Laws of 1852, entitled an act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan River;

Mr. Judd moved to reconsider the vote;

Mr. Palmer moved to lay the motion on the table;

The ayes and noes were called for, and

The Assembly refused to table, by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Boyd, Cole, Dockry, Elmore, Fairchild, Hartung, Hask, Horn, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Munn, Palmer, Ruan, Winter and Young—22.

Those who voted in the affirmative were

Messrs. Baldwin, Barden, Bartlett, Blackman, Bovay, Brooks, Burt, Dickson, Farwell, Golden, Goodwin, Griffin, Griswold, Hammarquist, Howland, Langland, McKay, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers Seaton, Stannard, Sumner, Westby, Wescott, Wheeler, Whittlesey and Wood—33.

The question being on Mr. Judd's motion to re consider the vote by which the Assembly refused to pass the bill.

The ayes and noes were called for, and

The vote was re-considered,

By the following vote:

Messrs. Baldwin, Ballantine, Bartlett, Bettis, Blackman, Bovay, Brooks, Burt, Farwell, Golden, Goodwin, Griffin, Griswold, Howland, Langland, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Weage, Westby, Wheeler, Whittlesey, Whiting, Wood and Young—35.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Boyd, Dockry, Elmore, Fairchild, Hartung, Hayden, Horn, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Munn, Palmer, Ruan, Simpson and Winter—22.

Mr. Kingsbury moved to lay the bill on the table;

A majority of a quorum not voting in the affirmative,

The motion was lost.

Mr. Palmer indicated debate, and raised a point of order, that the first suspension of the rules was inoperative, as the bill was lost under the first suspension of the rules and a new order of business had intervened;

The chair decided the point of order not well taken.

Mr. Bettis moved the previous question.

Mr. Hunkins moved a call of the house;

Which was ordered, and the roll called.

On motion of Mr. Mitchell,

Further proceedings under the call were dispensed with.

The question being on the passage of the bill,

The ayes and noes were called for, and ordered,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bovay, Bugh, Burt, Child, Cobb, Dickson, Farwell, Golden, Goodwin, Griffin, Griswold, Howland, McKay, Miller, Mitchell, Moore, Ordway, Phillips, Robertson, Rogers, Seaton, Smith, Spottswood, Stannard, Sumner, Weage, Westby, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—39.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Boyd, Dockry, Elmore, Fairchild, Hartung, Hesk, Horn, Humann, Hunkins, Keogh, Kiefer, Kingsbury, Meigs, Munn, Palmer, Ruan, Simpson, Sutton and Winter—22.

Debate being intimated on the following bills,

They were laid over:

No. 536, A., a bill for an act providing for the payment of costs in certain cases;

No. 576, A., a bill for an act providing for the payment of the costs of foreclosing mortgages in certain cases:

No. 217, S., an act to amend chapter 23, of the Revised Statutes, entitled of common schools.

Mr. Bouck moved a suspension of the rule prohibiting debate:

And the Assembly refused to suspend the rules,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Barden, Bettis, Beath, Bouck, Boyd, Brooks, Burt, Cole, Dockry, Elmore, Fairchild, Goodwin, Griffin, Griswold, Grover, Hammarquist, Hartung, Hesk, Horn, Hunkins, Judd, Kingsbury, Langland, Munn, Ordway, Palmer, Rankin, Robertson, Ruan, Simpson, Smith, Sunner, Sutton, Weage, Westby, Wescott, Winter and Young—43.

Those who voted in the negative were

Messrs. Ballantine, Bartlett, Blackman, Bugh, Cobb, Dickson, Farwell, Golden, Howland, Humann, Lewis, Miller, Moora, Phillips, Rogers, Spottswood, Stannard, Wheeler, Whittlesey, Whiting, Wood and Mr. Speaker—22.

The following bills were indefinitely postponed:

No. 185, S., a bill for an act to authorize the formation of railroad corporations, and to regulate the same;

No. 542, A., a bill for an act to provide for the incorporation of fire companies;

No. 500, A., a bill for an act to amend sec. 27, of chap. 23, of the Revised Statutes, entitled of common schools;

No. 296, A., a bill for an act to authorize the Governor to appoint an Executive Building Committee, and to define their duties.

The enacting clauses were stricken from the following bills:

No. 405, A., a bill for an act to amend chap. 18, of the Rev. Statutes, entitled of the assessment and collection of taxes;

No. 538, A., a bill for an act concerning fences;

No. 564, A., a bill for an act to adjust the boundaries of the Marquette and Green Lake Assembly District.

The following bill was laid on the table:

No. 553, A., a bill for an act for the rendition of fugitives from labor.

REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred

No. 628, A., a bill for an act to amend an act entitled an act concerning the terms of court in the Fourth Judicial Circuit, approved February 29th 1860;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the enacting clause be stricken out.

D. S. ORDWAY, *Ch'n.*

The joint committee on Enrolled Bills report that they presented to the Governor for his approval, on the 29th inst., the following bills:

No. 401, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 360, A., a bill for an act to amend an act to consolidate the several school districts in the city of Fond du Lac, approved February 24th, 1859;

No. 361, A., a bill for an act to provide for laying out a State road from Ashland to Chippewa Falls;

No. 308, A., a bill for an act to enable the city of Fond du Lac to settle with its bondholders;

No. 461, A., a bill for an act to authorize the city of Milwaukee to construct and maintain certain bridges;

No. 25, A., a bill for an act to authorize the Bank of Oshkosh to make and file new articles of association, and continue the banking business;

No. 546, A., a bill for an act to appropriate to A. G. Darwin the sum of \$257 56;

No. 639, A., a bill for an act to postpone the tax sale in Douglas county;

No. 569, A., a bill for an act to incorporate the Milwaukee Mutual Laborers Relief Society;

No. 583, A., a bill for an act to organize Shawano county for judicial purposes;

No. 489, A., a bill for an act to appropriate to Mosely & Crother the sum of \$217 93;

No. 525, A., a bill for an act to authorize the city of Milwaukee to construct a certain bridge;

No. 225, A., a bill for an act to authorize the city of Milwaukee to construct certain bridges;

No. 168, A., a bill for an act to incorporate the St. Anthony Mutual Relief Society, of the city of Milwaukee;

No. 42, A., a bill for an act exempting certain university lands from taxation;

No. 455, A., a bill for an act to change the name of Sarah McCabe to Sarah Kate Graves;

No. 424, A., a bill for an act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions;

No. 277, A., a bill for an act to amend chapter 139, of the Revised Statutes, entitled of appeals, writs of error and proceedings thereon;

No. 440, A., a bill for an act to provide for the payment of money to the Waupaca County Agricultural Society for the year 1856;

No. 354, A., a bill for an act to amend an act entitled an act to incorporate the Peshtigo Lumbering and Manufacturing Company, approved October 11, 1856, and the acts amendatory thereto;

No. 353, A., a bill for an act to legalize the official acts of Willard T. Chase, a justice of the peace of the county of Dane;

J. Res. No. 4, A.,

Objecting to any change of the naturalization laws;

No. 390, A., a bill for an act to authorize the Secretary of State to audit certain accounts.

The committee of Conference, appointed to confer upon bill

No. 321, S., entitled a bill for an act to amend chapter 81, of the Revised Statutes, entitled "of the State Historical Society;"

Have had the same under consideration, and have instructed me to report the same back to the Assembly with the recommendation that the Assembly do recede from its amendment; and have also instructed me to report the same back with an amendment, and recommend its passage when so amended.

H. B. MUNN.

The report of the committee of Conference was concurred in.

The committee on Education, School and University Lands, to whom was referred bills

Nos. 564, 579, 281, 230 and 231, A.,

And,

Mems. Nos. 263 and 77, A.,

Have had the same under consideration and recommend that they lie on the table.

E. D. HOLTON, CH'.

The committee on Enrolled Bills, report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburgh Plank Road Company;

No. 460, A., a bill for an act legalizing a State road therein named;

No. 894, A., a bill for an act to authorize the Board of Trustees of the village of Viroqua, Bad Ax county, to levy a tax;

No. 155, A., a bill for an act to provide for the purchase of real estate, and the erection of suitable building thereon, for the use of the third ward of the city of Milwaukee;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society in the city of Fond du Lac;

No. 446, A., a bill for an act for the protection of orchards and fruit trees;

No. 237, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute;

No. 490, A., a bill for an act for the relief of the Reedsburgh Bank;

No. 228, A., a bill for an act to authorize the laying out of a State road from the village of Eau Claire, in Eau Claire county, to the mouth of Hay river, in Dunn county;

No. 188, A., a bill for an act relating to the estate of T. J. VanderBrock;

No. 351, A., a bill for an act to amend an act entitled an act to incorporate the Green Bay, Milwaukee and Chicago Railroad Company, approved March 13, 1851, and the acts amendatory thereto;

No. 408, A., a bill for an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

No. 313, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled an act to authorize the establishment of a house of refuge for juvenile delinquents, in the State of Wisconsin;

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled of the manner of commencing civil actions;

No. 465, A., a bill for an act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

Joint resolutions in relation to the homestead bill, in Congress;

No. 613, A., an act to authorize the common council of the city of Milwaukee to erect a breakwater in the third ward of said city;

No. 804, A., a bill for an act to authorize the common council of the city of Milwaukee to apply a portion of a ward tax of the second ward to pay for the improvements of a public square in block 165, of said ward.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Claims to whom was referred

No. 636, A., a bill for an act to provide for the payment of money for newspapers furnished the members and officers of the Assembly of 1860 ;

Return the same to the House without action, as a majority were not present to take action on the same.

HEBER SMITH, *Ch'n.*

The select committee on Geological Surveys, to whom was referred

Mem. No. 344, A.,

Have had the same under consideration, and ask leave to report, that the object set forth in said memorial, is one of much importance to the mining district of the State, requiring more attention than can be given it at this late day of the session. They would therefore recommend that the subject matter thereof be referred to the serious and favorable consideration of the next Legislature.

JAS. W. SEATON,
A. WHITTLESEY,
AMASA COBB.

MESSAGE FROM THE SENATE,

By J. H. Warren, Chief Clerk thereof.

MR. SPEAKER :—

I am directed to present to you for signature

No. 177, S., an act to establish a highway therein named ;

No. 209, S., an act to amend section 106, of chap. 28, of the Revised Statutes, entitled "of the school and university lands ;"

No. 310, S., an act to appropriate to Wm. Hawley the sum of \$42 ;

No. 53, S., an act providing for the enclosing of railroads by fences ;

No. 356, S., an act to provide for levying a State tax for the year 1860 ;

No. 29, S., an act to authorize the Secretary of State to contract for necessary gas furnished for the use of the Capitol, and other State institutions in the city of Madison.

I am further directed to inform you that the Senate has concurred in the passage of

No. 618, A., a bill for an act to authorize the commissioners of school and university lands to purchase certain lands therein named, and to appropriate money for the payment for said lands ;

No. 578, A., a bill for an act for the relief of John Bender ;

No. 655, A., a bill for an act to appropriate to C. V. N. Kitteridge the sum of \$52 77 ;

No. 656, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$62 24 ;

Without amendment.

And has amended and concurred in as amended

No. 581, A., a bill for an act to provide for indexing and transcribing the journals of the Senate and Assembly.

The Assembly concurred in the Senate amendment to

No. 581, A.

And insisted upon its amendment to

No. 352, S.

I am further directed to inform you that the Senate has concurred in the Assembly amendment to

No. 158, S., a bill for an act relating to school and university, swamp and overflowed lands belonging to the State.

And has refused to concur in the Assembly amendment to

No. 352, S., a bill for an act to appropriate the sum of \$5,000 to the State Reform School.

[R. SPEAKER:

I am directed to present to you for signature the following bills :

No. 357, S., an act to appropriate to the Wisconsin State hospital for the Insane, a sum of money therein named to pay debts against said institution ;

No. 39, S., an act to appropriate to D. A. Reed the sum of

No. 281, S., an act to authorize the State Prison Commissioner to purchase or sell lands as therein specified ;

Which have been signed by the President.

Said bills were signed by the Speaker.

I am further directed to inform you that the Senate has concurred in the passage of

No. 640, A., a bill for an act to provide for the re assessment of certain taxes in the city of Watertown for the year 1856, '57 and '58;

No. 627, A., a bill for an act to appropriate to Andrew Bishop the sum of \$60;

No. 626, A., a bill for an act to appropriate to R. G. Norton the sum of \$26,24;

No. 625, A., a bill for an act to appropriate to Church & Hawley the sum of \$23;

No. 624, A., a bill for an act to appropriate to C. M. Marvin the sum of \$50;

No. 601, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50,25;

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Baraboo Valley Railroad Company;

No. 590, A., a bill for an act to appropriate to William T. Porter the sum of \$73,75;

No. 527, A., a bill for an act to appropriate to Francis W. Newland, the sum of \$422,50;

No. 556, A., a bill for an act to appropriate a certain sum of money to the committee on charitable and religious societies;

No. 650, A., a bill for an act to appropriate to Burt Brett the sum of \$44,75;

No. 651, A., a bill for an act to appropriate to J. B. Bowen the sum of \$36,13;

No. 649, A., a bill for an act to appropriate to Edw. Gibbs the sum of \$85,18;

No. 269, A., a bill for an act to appropriate to the institute for the education of the deaf and dumb, and the institute for the education of the blind of the State of Wisconsin, certain sums of money therein named;

Without amendment.

I am further directed to inform you that the Senate has passed

No. 319, S., a bill for an act to amend chapter 275, of the Private and Local Laws of 1859, entitled an act to incorporate the city of Hudson;

No. 370, S., a bill for an act to authorize the Secretary of State to audit certain accounts for newspapers;

No. 294, S., a bill for an act to amend an act to incorporate the Manitowoc Library and Scientific Association;

And

No. 182, S., a bill for an act concerning practice and appeals;

And ask the concurrence of the Assembly therein.

I am also directed to inform you that the Senate has concurred in the passage of

No. 383, A., a bill for an act to amend the act entitled an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof, approved February 20, 1852, and to amend the several acts amendatory thereof;

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay;

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads;

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225;

With amendments;

And ask the concurrence of the Assembly therein.

The Senate has receded from its amendment to

No. 212, A., a bill for an act to empower cities, towns and villages to grant the use of the streets therein to certain railway companies.

And further, that the Senate refuses to adopt the recommendation of the committee of Conference on

No. 37, A., a bill for an act in relation to the abatement and revivor of suits.

I am further directed to inform you that the Senate has receded from their non-concurrence to the Assembly amendment

No. 352, S., a bill for an act to appropriate the sum of \$5,000 to the State Reform School.

And has passed

J. Res. No. 26, S., relating to the distribution of the Assessment Law;

And

J. Res. No. 27, S., authorizing A. I. Bennett to revise the assessment Law;

And ask the concurrence of the Assembly therein.

Nos. 370, 319, 182 and 294, S.,

Were read twice, and referred as follows:

No. 370, S.,

To Judiciary committee;

Nos. 182, 294 and 319, S.,

To general file.

The Assembly receded from its non-concurrence in the Senate amendments to

No. 37, A.

The Senate refused to concur in the Assembly amendment to

No. 617, A.;

And a committee of Conference thereon, consisting of Messrs. Royay, Elmore and Ordway.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 544, A., a bill for an act to legalize the organization and record of the lyceum of the city of Green Bay;

No. 112, A., a bill for an act relative to persons mining for lead ore or other minerals;

No. 509, A., a bill for an act to amend chapter 22, of the General Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof;

No. 545, A., a bill for an act to authorize the Governor of the State of Wisconsin to seize certain lands on Green Island for the use of the State;

No. 533, A., a bill for an act relating to the assessment of taxes;

No. 506, A., a bill for an act to provide for the expenditure of the drainage fund moneys in the county of Trempeleau;

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin, with intent to pass the same as false;

No. 562, A., a bill for an act to amend an act entitled an act to define, confirm and legalize the act of a fish inspector in the city of Milwaukee;

No. 494, A., a bill for an act to amend chapter 121, of the Revised Statutes, entitled of the jurisdiction of justices in criminal cases, and of the proceedings therein;

No. 497, A., a bill for an act to constitute Shawano county a part of the tenth judicial circuit, and to fix the terms of court therein;

No. 532, A., a bill for an act to lay out a State road from Wausau to the State line north, and to make an appropriation therefor;

No. 550, A., a bill for an act to require the treasurer of the city of LaCrosse to receive school district orders in payment for School tax;

No. 570, A., a bill for an act for the relief of Loren Peterson;

No. 572, A., a bill for an act for the preservation of fish in the counties of Manitowoc and Kewaunee;

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

No. 462, A., a bill for an act to authorize the town clerk of the town of Port Washington to convey real estate;

No. 34, A., a bill for an act to repeal certain portions of chapter 136, of the Revised Statutes, entitled "of writs and process;"

No. 40, A., a bill for an act to extend the time of payment of principal upon school and university land certificates;

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled an act to incorporate the village of Waupun;

No. 141, A., a bill for an act to locate and establish school sites;

No. 352, A., a bill for an act to protect certain counties, towns and villages;

Without amendment.

Messrs. Altenhofen, Ruan and Winter had leave of absence during the balance of the session.

Mr. Griswold being in the chair,

Mr. Palmer introduced the following:

Res. No. 143, A.,

Resolved, That the cordial thanks of the Assembly are hereby tendered to the Hon. WILLIAM PENN LYON, for the diligent, able and effective manner in which he has discharged the duties of its Speaker during the present session of the Legislature, and for that impartiality of manner and cordiality of demeanor which has known neither political friend or political enemy;

Which was unanimously adopted.

Mr. Miller said:

MR. SPEAKER:—The volume which I hold in my hand contains the photographs and autographs of each member of the Assembly, and of its principal officers. It has been procured by them for presentation to the Speaker, as a token of their esteem.

I move that Hon. Henry L. Palmer be requested to represent this Assembly in the presentation of this book to the speaker.

The motion was carried.

Mr. Speaker was sent for, and on his resuming the chair, Mr. PALMER said:

MR. SPEAKER:—The members of this Assembly have been associated with you in the business of Legislation for a period of nearly three months, and during all this time we have experienced at your hands, as our presiding officer, a firmness and impartiality which has commanded our respect, and your uniformly courteous manner in all our intercourse has won for you the esteem of all your associates. The time has now nearly arrived when we shall separate and return to our respective homes, when we shall separate never again to meet here. The members of the Assembly desire that the friendship here formed may remain unbroken, and they wish to leave with you some slight token of their regard and esteem. They have therefore procured this portfolio which contains the photographs of all the members and officers of the Assembly, and the autographs of each; and, by a resolution of the Assembly just now adopted, I am directed in behalf and in the name of the members to present it to you. When, hereafter, in the privacy of your own family circle you shall turn over its leaves, you will have before you the well remembered features of many a friend. Without more words I present this collection to you.

I speak but the honest sentiments of every heart here, when I say "May the blessings of Heaven rest upon you and yours, and may you be prospered in all your relations in life."

Mr. Speaker responded as follows :

Gentlemen of the Assembly:

I thank you for this valued gift, and for the very complimentary language accompanying its presentation, addressed to me in your behalf, by my friend, Mr. Palmer. I shall ever treasure this volume of photographs as a treasure of priceless value. If my life be spared, I shall often, in after years—when distance separates us, and when, perhaps, many of us shall have been gathered unto our fathers, turn over these pages, and while gazing upon your familiar features, which the skillful artist has delineated so perfectly upon them, I shall live over in memory, the pleasant days we have passed together here. Yet I assure you, gentlemen, it required not these visible images, to enable me to hold each one of you in affectionate remembrance, for already had those images been photographed here, upon my heart—where the pictures will never fade and the colors will never dim!

Of my relations to this Assembly as its presiding officer—of the invariable kindness with which I have been treated by each and every member—a kindness which has never been withdrawn, even in your most exciting discussions, for a single moment—

of the gratifying expression of your approval of my conduct as your Speaker, and, above all, of your personal friendship and esteem—I cannot now trust myself to speak

Suffice it to say, that I have no command of language adequately to express my undying gratitude to each one of you for all the evidences of your regard. You have made the delicate duties of my position easy to discharge, and its arduous and responsible labors comparatively light. From the depths of my heart, I tender you my most grateful acknowledgments.

We are soon to separate. We go from these Halls of Legislation to our cherished homes, and to the friendly greetings of the loved ones there, who with eager hearts and outstretched arms await our coming. Yet we go with a deep sadness upon our hearts, for those who have shared with us the labors and responsibilities of legislation, and whom we have learned to love, go not with us. It costs me many bitter pangs to part with you. May the blessings of Heaven be showered upon you, and may your future lives be crowned with prosperity and happiness, and continued usefulness. Be assured that wherever your lot or mine be cast, I shall never cease to cherish for you the warmest sentiments of gratitude and affection. I can say no more.

On motion of Mr. Bouck,

A recess until 7 1-2 o'clock was taken.

7 1-2 o'clock, P. M.

The Assembly was called to order by the Speaker.

Mr. Ballantine had leave of absence the balance of the session.

On motion of Mr. Bovay,

The Chief Clerk was directed to have the report of the Joint Committee on Investigation printed in the Journal of the Assembly.

(See Appendix B.)

On motion of Mr. Westby,

No. 423, A., a bill for an act to repeal so much of section 6, chapter 143, of the Private and Local Laws of 1857, as re-

lates to the alteration of the boundaries of Union school district No. 8, of the town of Monroe, in Green county;

Was taken up, substitute adopted, read the third time and passed.

On motion of Mr. Fairchild,

No. 642, A., a bill for an act to amend an act entitled an act to amend an act to incorporate the Mutual Life Insurance Co., of the city of Madison;

Was taken up, read a third time and passed.

On motion of Mr. Young,

No. 249, A.,

Was taken up and debate being intimated,

Was laid aside.

On motion of Mr. Howland,

No. 616, A., a bill for an act to amend section 1, of chapter 107, of the Private and Local Laws of 1855, entitled an act to incorporate the Kenosha Female Seminary;

Was taken up, read a third time and passed.

GENERAL FILE TAKEN UP.

The following bills were severally read the third time and passed:

No. 577, A., a bill for an act for the preservation of fish in Lake Ripley;

No. 588, A., a bill for an act to cede jurisdiction to the United States over certain territory in the State of Wisconsin for the erection of a light house on Green Island, in Green Bay;

The ayes and noes being required,

The bill was passed by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Ballantine, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Boyd, Brooks, Bugh, Child, Cole, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hammarquist, Hartung, Hermann, Hunkins, Judd, Kingsbury, Langland, McKay, Meigs, Mitchell, Munn, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Ruan, Seaton, Smith, Spottswood, Sumner, Sutton, Upson, Weage, Wescott, Wheeler, Whittlesey, Winter, Wood, Young and Mr. Speaker—55.

Those who voted in the negative were

Messrs. Barden, Bartlett, Griswold, Holton, Howland, Moore and Whiting—7.

The amendments to

No. 201, S., a bill for an act prescribing the duties of county surveyors in the subdivision of sections;

Were agreed to;

And the bill was read the third time, and concurred in as amended.

Debate being indicated, the following bills were laid aside:

No. 295, A., a bill for an act to amend section 145, of chapter 120, of the Revised Statutes, entitled of courts held by justices of the peace;

No. 554, A., a bill for an act to provide for the construction of a channel for the surplus water of Winnebago lake.

The enacting clause of

No. 598, A., a bill for an act to permit the Clark County Bank to reduce its capital stock;

And the enacting clause of

No. 565, A., a bill for an act to establish the time of holding courts in the Tenth Judicial Circuit;

Were severally stricken out.

The Assembly refused to pass

No. 619, A., a bill for an act to provide for the laying out of a State road between the points therein named.

The following bill was indefinitely postponed:

No. 376, A., a bill for an act to repeal chapter 186, of the Private and Local Laws of 1859, entitled an act to divide the town of Shields, in the county of Dodge, and annex a portion of said town to the town of Lowell, in said county;

By the following vote:

Those who voted in the affirmative, were

Messrs. Baldwin, Bettis, Blackman, Bouck, Bovay, Brooks, Bugh, Bunn, Burt, Child, Cobb, Dickson, Farwell, Goldeh, Goodwin, Griffin, Griswold, Hammarquist, Hartung, Holton, Howland, Judd, Langland, McKay, Moore, Ordway, Patchin, Rankin, Rogers, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting and Wood—39.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bow, Cole, Dockry, Fairchild, Hesk, Humann, Kiefer, Kingsbury, Meigs, Mitchell, Munn, Palmer, Sutton, Wescott, Winter, Young and Mr. Speaker—20.

Mr. Humann moved to reconsider the vote by which, this morning, the Assembly refused to pass

No. 240, A.

Mr. Griswold moved to lay the motion on the table ;

The ayes and noes were called for,

And the motion was laid on the table,

By the following vote :

Those who voted in the affirmative were

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Brooks,

Bunn, Child, Dickson, Golden, Griswold, Hammarquist, Hesk, Holton, Howland, Langland, McKay, Miller, Moore, Patchin, Rogers, Seaton, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Whiting, Winter, Wood and Young—32.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Blackman, Bouck, Bow, Boyd, Burt, Cobb, Cole, Fairchild, Farwell, Goodwin, Griffin, Hartung, Humann, Hunkins, Jackson, Judd, Kiefer, Kingsbury, Meigs, Mitchell, Munn, Palmer, Robertson, Sutton, Whittlesey and Mr. Speaker—30.

No. 473, A., a bill for an act to amend chapter 160, of the General Laws of 1859, entitled "an act to prescribe and limit the rate of interest ;"

Mr. Griffin moved to lay the bill on the table ;

The Assembly refused to table,

By the following vote :

Those who voted in the affirmative were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Barden, Beath, Bovay, Brooks, Bugh, Burt, Child, Cole, Dockry, Elmore, Griswold, Hesk, Holton, Humann, Judd, Keogh, Kiefer, Moore, Palmer, Robertson, Ruan, Sumner, Winter, Wood and Young—29.

Those who voted in the negative were

Messrs. Baldwin, Bettis, Blackman, Bouck, Bow, Cobb, Dickson, Farwell, Golden, Hartung, Howland, Langland, McKay, Miller, Mitchell, Munn, Ordway, Patchin, Phillips, Rogers, Smith, Spottswood, Stannard, Upson, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting and Mr. Speaker—31.

The motion being a suspension of the rules to pass the bill ;

Debate was indicated ;

And the bill was laid aside.

Mr. Palmer moved a call of the House ;

Roll called, and the following gentlemen found to be absent without leave :

Messrs. Boyd, Fischer, Hayden, Horn, Hunkins, Lewis, Meigs, Rankin and Seaton.

Mr. Goodwin moved to suspend further proceedings under the call ;

The ayes and noes were called for and ordered ;

And the Assembly refused to suspend the rules,

By the following vote :

Those who voted in the affirmative, were

Messrs. Alden, Baldwin, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Child, Cobb, Dickson, Elmore, Farwell, Golden, Goodwin, Hammarquist, Hesk, Holton, Howland, Judd, Miller, Mitchell, Moore, Phillips, Robertson, Rogers,

Simpson, Smith, Spottswood, Stannard, Sumner, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—41.

Those who voted in the negative, were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Beath, Bouck, Bow, Cole, Dockry, Fairchild, Griswold, Grover, Humann, Keogh, Kiefer, Kingsbury, McKay, Mulholland, Munn, Ordway, Palmer, Patchin, Ruan, Sutton and Winter—25.

Mr. Humann moved to adjourn;

The ayes and noes were called for and ordered, and

The Assembly refused to adjourn, by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Bachuber, Barden, Cobb, Coles, Hartung, Hesk, Humann, Keogh, Mitchell, Ruan and Wescott—12.

Those who voted in the negative, were

Messrs. Alden, Altenhofen, Baldwin, Bartlett, Bettis, Beath, Blackman, Bouck, Bovay, Bow, Brooks, Bugh, Burt, Child, Dockry, Elmore, Fairchild, Golden, Griffin, Griswold, Hammarquist, Holton, Howland, Judd, Kingsbury, Langeland, McKay, Miller, Moore, Munn, Ordway, Palmer, Patchin, Phillips, Robertson, Rogers, Spottswood, Stannard, Sumner, Sutton, Upson, Weage, Westby, Wheeler, Whittlesey, Whiting, Wood, Young and Mr. Speaker—49.

Mr. Blackman moved that further proceeding be dispensed with.

The ayes and noes being called for and ordered,

The Assembly refused to suspend further proceedings.

By the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Bartlett, Bettis, Blackman, Bow, Brooks, Bugh, Burt, Child, Cobb, Goodwin, Howland, Judd, McKay, Miller, Mitchell, Phillips, Robertson, Rogers, Spottswood, Stannard, Sumner, Upson, Weage, Whittlesey, Whiting, Young and Mr. Speaker—28.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Barden, Beath, Bouck, Dickson, Dockry, Fairchild, Golden, Griffin, Griswold, Hammarquist, Hartung, Hayden, Hesk, Keogh, Kiefer, Kingsbury, Moore, Munn, Ordway, Palmer, Patchin, Ruan, Sutton, Winter and Wood—28.

Mr. Bovay moved to adjourn.

Which the Assembly refused to do.

Mr. Mitchell moved that further proceedings under the call be dispensed with;

Which was agreed to.

SENATE MESSAGE CONSIDERED.

The Senate amendments to

No. 395, A., a bill for an act to provide for the location and construction of a portion of the State road from Oshkosh to Green Bay;

And,

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads;

Were severally concurred in.

J. Res. No. 26, S.,

Relating to the distribution of the assessment law;

Was concurred in.

Debate was intimated on

J. Res. No. 27, S.,

Authorizing A. I. Bennett to revise the assessment law.

On leave, Mr. Sumner introduced

Res. No. 144, A.,

Resolved, That the compliments of this Assembly are hereby tendered to our Chief Clerk and his assistants, for the courtesy, suavity, and unvaried industry which they have severally displayed in the performance of their arduous duties during the present session;

Which was unanimously adopted.

The consideration of the general file was resumed, and the following bills were read the third time and passed:

No. 299, S., a bill for an act to amend sec. 12, of chapter 3, of an act to incorporate the city of Prescott, approved March 9th, 1857.

Mr. Holton moved to suspend all rules for the consideration of

No. 332, S., a bill for an act to amend chap. 190, of Laws of 1858, entitled an act to authorize a loan to the University Wisconsin;

No. 333, A., a bill for an act to enable the Regents of the University to complete and furnish University Hall.

The Assembly refused to suspend the rules,

By the following vote:

Those who voted in the affirmative were

Messrs. Bartlett, Bettis, Beath, Blackman, Bovay, Bugh, Bunn, Burt, Child, Elmore, Fairchild, Farwell, Golden, Hammarquist, Holton, Howland, Langland, Miller, Mitchell, Munn, Phillips, Robertson, Rogers, Smith, Stannard, Sumner, Upson, Westby, Wescott, Wheeler, Whittlesey, Wood, Young and Mr. Speaker—34.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Baldwin, Bouck, Bow, Brooks, Cobb, Cole, Dockry, Golden, Griffin, Griswold, Hartung, Humann, Judd, Kiefer, Kingsbury, McKay, Moore, Ruan, Schmidtner, Spottswood and Winter—24.

The Senate amendments to

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature;

Were concurred in.

The following bills were read a third time and passed:

No. 622, A., a bill for an act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled an act to incorporate savings institutions;

No. 487, A., a bill for an act to repeal chapter 164, of the Private and Local Laws of 1859, entitled an act to provide for the appointment of superintendent of public schools in the city of Kenosha;

No. 654, A., a bill for an act to change the name of Frank Pagle, and to establish his guardianship and heirship;

No. 653, A., a bill for an act to amend chapter 19, of the Revised Statutes, entitled of highways and bridges;

No. 632, A., a bill for an act to amend section 20, of chapter 6, of the Revised Statutes, entitled of the public printing, and of the publication and distribution of statutes, and other public documents;

No. 337, S., a bill for an act in regard to testimony and witnesses;

No. 643, A., a bill for an act in relation to certain towns in St. Croix county;

No. 634, A., a bill for an act restoring Charles W. Mains to citizenship;

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

No. 351, S., a bill for an act for the relief of Joseph Knuer, of the county of Manitowoc;

No. 594, A., a bill for an act to amend section 16, chapter 7, of the Revised Statutes, entitled of general and special elections;

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature of 1858, being part of chapter 129, of the Revised Statutes, entitled of injunctions and writs of *ne secat*, and of receivers;

No. 637, A., a bill for an act providing for filing of an official bond of the county judge of Polk county;

No. 652, A., a bill for an act to amend section 15, chapter 183, of the Revised Statutes, entitled of offences cognizable before justices of the peace;

No. 157, S., a bill for an act to enable the village of Manitowoc to build and maintain a bridge across the Manitowoc river;

M. C. No. 6, S., memorial to Postmaster General for reinstatement of service on route 13,031.

REPORTS OF COMMITTEES.

The committee on Ways and Means, to which was referred petitions

Nos. 24 and 33, A., in regard to the tax on Insurance Companies;

Have instructed me to return the said petitions and ask to be discharged from their further consideration.

STODDARD JUDD, *Ch'n.*

The joint committee on printing, to whom was referred

Mems. Nos. 87, 76, 99, 127, 81 and 83, A.,

Report the same back with the recommendation that they be severally laid upon the table, and ask that they may be discharged from further consideration of the subject.

GEO. B. GOODWIN *Ch'n.*

The undersigned, members of the committee on Swamp and Overflowed Lands, acting jointly with the committee on Education, to which joint committee was referred

No. 289, S., a bill for an act to provide for reimbursement of certain moneys to the general fund from the swamp land fund;

Have had the same under consideration, and report the same back with recommendation of indefinite postponement.

A. WHITTLESEY,
GEO. S. BARNUM,
J. PHILLIPS,

BENJ. HUNKINS,
Swamp Land Committee.

E. D. HOLTON,
M. B. PATCHIN.

Committee on Education.

The committee on the Judiciary, to whom was referred

No. 370, S., a bill for an act to authorize the Secretary of State to audit certain accounts for newspapers;

Have had the same under consideration, and have instructed me to report the same back to the Assembly with amendments and leave it to the discretion of the Assembly whether the same ought to pass.

A. COBB, *Ch'n.*

The amendments of the Judiciary committee were adopted, And the bill was read the third time, and passed by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Baldwin, Bartlett, Bettis, Bouck, Boyd, Bugh, Burt, Child, Cole, Dickson, Elmore, Fairchild, Farwell, Golden, Goodwin, Griffin, Hammarquist, Hartung, Hesk, Holton, Humann, Judd, Kiefer, Kingsbury, Meigs, Mitchell, Munn, Ordway, Palmer, Phillips, Robertson, Rogers, Seaton, Simpson, Sumner, Weage, Westby, Wescott, Wheeler, Whittlesey, Whiting, Winter, Wood, Young and Mr. Speaker—50.

Those who voted in the negative, were

Messrs. Ballantine, Barden, Cobb, Griswold, Howland, McKay, Moore, Spottswood and Upson—9.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to present to you for signature,

No. 195, S., a bill for an act to re-annex certain lands to the towns of Wauwatosa, Greenfield and Lake, in the county of Milwaukee.

Said bill was signed by the Speaker.

I am further directed to present to you for signature,

No. 352, S., a bill for an act to appropriate the sum of \$8,500 to the State Reform School.

Said bill was signed by the Speaker.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof:

MR. SPEAKER:—

I am directed to inform you that the Senate has indefinitely postponed

No. 611, A., a bill for an act to amend chapter 218, of the Private and Local Laws of 1859, entitled "an act to amend c. 6, of chap. 6, of Private and Local Laws of 1852, entitled an act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan river;"

No. 366, A., a bill for an act to provide for condemning the right of way for purposes of roads and internal improvements;

No. 81, A., a bill for an act to extend the time for the payment of mortgages executed to the State.

I am also directed to inform you that the Senate has indefinitely postponed

No. 599, A., a bill for an act to amend section 2, of chapter 118, of the Revised Statutes, entitled "of grand and petit jurors;"

No. 578, A., a bill for an act to protect the State against loss, by the withdrawal in certain cases of banking securities deposited with the Treasurer;

And,

No. 159, A., a bill for an act relating to public officers and their duties.

The Senate has concurred in the Assembly amendment to

No. 370, A., a bill for an act to authorize the Secretary of State to audit certain accounts for newspapers.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:—

I am directed to inform you that the Senate has amended and concurred in as amended

No. 568, A., a bill to facilitate and authenticate the formation of a corporation of by the purchase of the Milwaukee and Mississippi Railroad Co.;

The amendment to

No. 568, A.,

Was concurred in.

I am also directed to present for your signature the following bills:

No. 331, S., an act to appropriate to Berliner & Bruno the sum of \$20;

No. 264, S., an act to appropriate to J. W. Seeley the sum of \$26 25;

No. 158, S., an act relating to school, university, swamp and overflowed lands belonging to the State, and to repeal sec. 9, of chap. 29, of the Revised Statutes;

No. 340, S., an act to appropriate to the commissioners of school and university lands of the State of Wisconsin, the sum of \$750, as a contingent fund;

No. 343, S., an act authorizing the Secretary of State to audit certain accounts;

No. 270, S., an act to provide for the auditing of claims and accounts against the State ;

No. 283, S., an act to appropriate the sum of \$5,000 to the State Prison Commissioner ;

No. 284, S., an act to grant a certain island in the Wisconsin river to Orestes Garrison and H. W. Jackson ;

Said bills were signed by the Speaker.

I am directed to inform you that the Senate has passed

No. 315, S., a bill for an act to amend chap. 134, of Rev. Statutes, entitled of executions and proceedings supplementary thereto ;

And,

No. 356, S., a bill for an act to amend an act entitled an act to amend sec. 59, of chapter 133, of the Revised Statutes, entitled of costs and fees ;

And ask the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has adopted the report of the committee of Conference on

No. 617, A., a bill for an act to appropriate to L. H. D. Crane the sum of \$225 ;

I am directed to inform you that the Senate has concurred in the Assembly amendment to

No. 279, S., a bill for an act relating to the discipline of convicts in the State Prison.

And has also concurred in the first amendment, but refuses to concur in the second amendment to

No. 252, S., a bill for an act to provide for the payment of the sum of money therein named to Andrew Proudfit, (assignee of Calkins & Webb,) being the amount due for the printing of assessment blanks and forms furnished by the Secretary of State to the several counties of this State, in the year A. D. 1858.

The Assembly refused to recede by the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Beath, Bouck, Bow, Bugh, Coles, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hartung, Humann, Hunkins, Kiefer, Kingsbury, Munn, Palmer, Robertson, Ruan, Sutton, Whittlesey, Winter, Wood and Young—28.

Those who voted in the negative were

Messrs. Baldwin, Barden, Bartlett, Bettis, Blackman, Bovay, Brooks, Bunn, Child, Cobb, Dickson, Golden, Griswold, Hammarquist, Howland, Langland, McKay, Miller, Mitchell, Moore, Rogers, Smith, Spottswood, Sumner, Upson, Weage, Westby, Westcott and Whiting—29.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to inform you that the Senate has passed, and asks the concurrence of the Assembly in

No. 96, S., a bill for an act to appropriate to Charles B. Gill the sum of \$100;

Said bill

No. 96, S.,

Was read first and second times, and

The question being upon the passage of the bill,

The ayes and noes being required,

The Assembly refused to concur, by the following vote:

Those who voted in the affirmative, were

Messrs. Altenhofen, Bachuber, Beath, Blackman, Boyd, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hartung, Heak, Humann, Hunkins, Jackson, Judd, Kiefer, Kingsbury, Munn, Palmer, Patchin, Sutton, Whittlesey, Winter and Mr. Speaker—25.

Those who voted in the negative were

Messrs. Baldwin, Ballantine, Barden, Bartlett, Bettis, Blackman, Bovay, Brooks, Bugh, Bunn, Burt, Child, Dickson, Golden, Griswold, Howland, Humann, Langland, McKay, Meigs, Miller, Mitchell, Moore, Robertson, Rogers, Seaton, Spottswood, Sumner, Upson, Weage, Westby, Westcott, Wheeler, Whiting, Wood and Young—35.

Mr. Bugh moved to reconsider the vote by which the Assembly refused to pass

No. 96, S.;

Mr. Miller moved to lay the motion on the table;

The ayes and noes being called for,

The motion was laid on the table, by the following vote:

Those who voted in the affirmative were

Messrs. Alden, Baldwin, Barden, Bettis, Blackman, Brooks, Bunn, Burt, Clise, Cobb, Dickson, Golden, Griswold, Howland, Langland, McKay, Mitchell, Moore, Ordway, Robertson, Rogers, Spottswood, Stannard, Sumner, Upson, Weage, Westcott, Wheeler, Whiting, Wood and Young—31.

Those who voted in the negative were

Messrs. Ahlhauser, Altenhofen, Bachuber, Bartlett, Beath, Bouck, Bow, Bugh, Cole, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hartung, Humann, Judd, Kingsbury, Munn, Palmer, Patchin, Ruan, Sutton, Whittlesey, Winter and Mr. Speaker—27.

Mr. Bartlett moved to suspend the rules in order to pass

No. 227, A., a bill for an act to amend chapter 13, of the Revised Statutes, entitled "of counties and county officers;"

The ayes and noes were called for,

And the Assembly refused to suspend the rules, by the following vote:

Those who voted in the affirmative were

Messrs. Baldwin, Barden, Bartlett, Bettis, Bugh, Burt, Cobb, Dickson, Elmore, Golden, Griswold, Howland, Humann, McKay, Miller, Moore, Rankin, Rogers, Spottswood, Stannard, Sumner, Upson, Westby, Wheeler, Wittlesey, Whiting and Mr. Speaker—27.

Those who voted in the negative, were

Messrs. Ahlhauser, Alden, Beath, Bouck, Bovay, Bow, Boyd, Brooks, Child, Dockry, Fairchild, Farwell, Goodwin, Hartung, Hayden, Hesk, Horn, Hunkins, Judd, Kingsbury, Mitchell, Munn, Ordway, Palmer, Robertson, Schmidtner, Smith, Wescott and Winter—29.

Mr. Ordway moved a call of the House;

Which was ordered, and

The roll was called.

Mr. Goodwin moved to dispense with further proceedings under the call.

Mr. Hesk moved to adjourn;

And the Assembly refused to adjourn.

The question occurring on the motion of Mr. Goodwin to suspend further proceedings,

The ayes and noes were called for,

And further proceedings were dispensed with by the following vote:

Those who voted in the affirmative, were

Messrs. Ahlhauser, Alden, Altenhofen, Bachuber, Ballantine, Barden, Bartlett, Blackman, Bouck, Bovay, Boyd, Bugh, Cole, Dockry, Elmore, Fairchild, Farwell, Goodwin, Griffin, Hammarquist, Hayden, Hesk, Horn, Howland, Humann, Hunkins, Judd, Keogh, Keifer, Kingsbury, Munn, Palmer, Robertson, Ruan, Schmidtner, Simpson, Smith, Sumner, Sutton, Vescott, Whittlesey, Winter, Wood, Young and Mr. Speaker—45.

Those who voted in the negative were

Messrs. Baldwin, Bettis, Beath, Brooks, Child, Cobb, Dickson, Golden, Griswold, Hartung, Langland, McKay, Miller, Mitchell, Moore, Ordway, Rogers, Spottswood, Stannard, Upson, Westby and Wiley—22.

The report of the committee of Conference upon

No. 617, A.,

Was concurred in.

MESSAGE FROM THE SENATE.

By J. H. Warren, Chief Clerk thereof.

MR. SPEAKER:

I am directed to present for your signature the following bills:

No. 11, S., a bill for an act to amend chapter 157, of the General Laws of 1859, entitled an act to amend chapter 15, of the Revised Statutes, entitled of the assessment and collection of taxes.

I am directed to inform you that the Senate has concurred in the passage of

No. 603, A., a bill for an act to reduce the capitol stock of the North-Western Bank to \$40,000;

No. 623, A., a bill for an act to authorize the German Bank to reduce its capital;

No. 660, A., a bill for an act to amend an act entitled an act to incorporate the Milwaukee Mutual Insurance Company, of Milwaukee, and the acts amendatory thereof;

No. 621, A., a bill for an act to provide for the election of directors of the Manitowoc and Mississippi Railroad;

No. 339, A., a bill for an act to amend section 11, of chapter 188, of the Revised Statutes, entitled of the State Prison;

Without amendment.

I am directed to inform you that the Senate has concurred in the passage of

No. 595, A., a bill for an act to vacate certain streets in the village of Sparta;

No. 513, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise two or more Assembly districts;

No. 608, A., a bill for an act to incorporate the German Mutual Insurance Company, in Milwaukee;

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 557, A., a bill for an act to authorize the laying out a State road from the Manitowoc river to the village of Menasha;

No. 539, A., a bill for an act to remove the county seat of Green Lake county;

No. 615, A., a bill for an act to incorporate the village of Engelsburg;

No. 585, A., a bill for an act to amend chapter 23, of the Revised Statutes, entitled of common schools;

No. 593, A., a bill for an act to provide for the disposal of the drainage fund in the county of Manitowoc;

No. 546, A., a bill for an act to repeal sections 12 and 13, of chap. 47, of the General Laws of 1857, entitled "an act to change the name of certain persons therein named ;

No. 493, A., a bill for an act to amend chapter 184, of the Revised Statutes, entitled "of inquests of the dead ;"

No. 580, A., a bill for an act to amend chap. 43, of the Private and Local Laws of 1859, entitled "an act to alter and establish the State road from Chilton to Menasha, and to provide for improving the same ;"

No. 406, A., a bill for an act to incorporate the Delavan Academy ;

No. 150, A., a bill for an act authorizing the Supreme Court to pronounce final judgment in certain cases ;

No. 422, A., a bill for an act to incorporate the village of Wausau ;

No. 629, A., a bill for an act to perfect the geological survey of the State ;

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town ;

No. 609, A., a bill for an act to amend chap. 90, of the Private and Local Laws of 1859, entitled "an act to authorize the Second Ward Cemetery Association of the city of Milwaukee to sell and convey a certain portion of their land ;

No. 292, A., a bill for an act to amend sec. 39, of chap. 79, of the Revised Statutes, entitled "of railroads ;"

No. 221, A., a bill for an act to incorporate Religious Societies ;

No. 407, A., a bill for an act to permit the board of supervisors of the several towns in the county of Milwaukee to lay out and open highways of the width of three rods ;

No. 479, A., a bill for an act to revive and modify an act to incorporate the Milwaukee Cemetery Association of the city of Milwaukee, approved August 16, 1858 ;

No. 159, A., a bill for an act relating to the Milwaukee county court ;

Without amendment.

No. 539, A.,

The Assembly refused to return to the Senate.

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

S. SPEAKER:

I am directed to request the return to the Senate for further consideration:

No. 539, A., a bill for an act to remove the county seat of Green Lake county.

I am further directed to inform you that the Senate refuses to recede from its non-concurrence in second Assembly amendment to

No. 252, S., a bill for an act to provide for the payment of the sum therein named to Andrew Prondfit, being the amount due for the printing of assessment blanks and forms furnished by the Secretary of State to the several counties of this State, in the year A. D. 1858;

And asks a committee of conference, and has appointed Sen. Hotchkiss and Worthington committee on the part of the Senate.

I am directed to inform you that the Senate has concurred in the passage of

No. 577, A., a bill for an act for the preservation of fish in Lake Ripley;

No. 588, A., a bill for an act to cede jurisdiction to the United States over certain territory in the State of Wisconsin, for the erection of a light-house on Green Island, in Green Bay;

No. 616, A., a bill for an act to amend section 1, of chapter 107, of the Private and Local Laws of 1855, entitled "an act to incorporate the Kenosha Female Seminary;"

No. 642, A., a bill for an act to amend an act, entitled "an act to amend an act to incorporate the Mutual Life Insurance Company of the city of Madison;"

No. 602, A., a bill for an act to reduce the capital stock of the Bank of Racine to twenty-five thousand dollars;

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas, and in certain towns in the county of Fond du Lac;

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 86, of chapter 165, of the Revised Statutes, entitled "of offences against property;"

No. 423, A., a bill for an act to repeal so much of section 6, of chapter 143, of the Private and Local Laws of 1857, as relates to the alteration of boundaries of union school district No. 8, of the town of Monroe, in Green county;

No. 456, A., a bill for an act to authorize commissioners to vacate a certain territorial road in the county of Waukesha;

No. 485, A., a bill for an act relating to repairs of plank and turnpike roads;

No. 421, A., a bill for an act to provide for the laying out of a State road from the village of Keil, in Manitowoc county, to the town of Calumet, in Fond du Lac county;

Without amendment.

The following bills were indefinitely postponed:

No. 547, A., a bill for an act for the removal of the county seat of Green Lake county;

No. 83, A., a bill for an act to authorize the treasurer of the county of Dodge, and direct him to apportion license money to the towns of LeRoy, Lomira and Theresa in said county, for the purpose of highways and bridges.

No. 430, A., a bill for an act to incorporate the Depere and Appleton Railroad company;

No. 582, A., a bill for an act to provide for the assessment of additional highway taxes in the county of Fond du Lac;

No. 324, S., a bill for an act to amend section 79, of chap. 133, of Revised Statutes;

No. 262, A., a bill for an act to amend chap. 188, of the Revised Statutes, entitled of the State Prison.

The enacting clauses, respectively, of

No. 648, A., a bill for an act to change the names of Francis Gallagher and Thomas Gallagher;

And,

No. 566, A., a bill for an act to change the name of Mary W. Richmond;

Were stricken out.

I am also directed to inform you that the Senate has concurred in the passage of

No. 834, A., a bill for an act for the relief of settlers upon the even sections of Fox and Wisconsin River Improvement Company;

With amendment, and ask the concurrence of the Assembly therein.

I am further directed to inform you that the Senate has passed

J. Res. No. 28, S., relating to the adjournment;

And ask the concurrence of the Assembly therein.

Mr. Alden moved that the Assembly adjourn;

The ayes and noes were called for,

And the Assembly adjourned,

By the following vote:

Those who voted in the affirmative were

Messrs. Ahlhauser, Bachuber, Baldwin, Barden, Brooks, Child, Cobb, Dickson, Dockry, Elmore, Griswold, Hartung, Horton, Horn, Humann, Keogh, Kiefer, McKay, Miller, Mitchell, Moore, Ordway, Palmer, Phillips, Rogers, Smith, Spottswood, Stannard, Weage, Westby, Wescott, Wheeler, Whiting, Wood and Mr. Speaker—85.

Those who voted in the negative were

Messrs. Alden, Altmehofen, Bartlett, Bettis, Beath, Blackman, Bouck, Bow, Bugh, Burt, Fairchild, Farwell, Golden, Goodwin, Griffin, Hayden, Hesk, Howland, Hunkins, Judd, Kingsbury, Munn, Robertson, Ruan, Sumner, Sutton, Upson, Whittlesey, Winter and Young—30.

SATURDAY, MARCH 31, 9 o'clock, A. M.

The Assembly was called to order by the Speaker.

SENATE MESSAGE.

Considered.

J. Res. No. 28, S.,

Resolved, by the Senate, the Assembly concurring, That so much of Joint Res. No. 20, as provides that no legislative business shall be transacted after Friday the 30th inst., be rescinded, and that unfinished business may be considered until 1 o'clock, P. M., of Saturday, the 31st inst.

Mr. Bouck moved to lay the motion on the table;

Which was agreed to.

Mr. Bouck moved to reconsider the vote by which said resolution was laid on the table, and moved to lay that motion on the table;

Which was agreed to,

And the motion to reconsider was laid on the table.

On motion of Mr. Bouck,

The Assembly took an informal recess.

REPORT OF COMMITTEES.

The committee of Conference, on the part of the Assembly, to whom was referred

No. 828, A., a bill for an act concerning proceedings against boats and vessels, &c.;

Report that they have done nothing in the premises; that the chairman of the committee on the part of the House has

used his utmost endeavors to have a conference with the committee on the part of the Senate, but has been unable to obtain one.

GAB. BOUCK.

The committee consisting of the delegation from Milwaukee county, to whom was referred

No. 338, S.,

Have had the same under consideration, and report the same back to the Assembly, and recommend that the same be laid on the table.

P. DOCKRY,
ED. KEOGH,
T. HARTUNG,
H. L. PALMER,
M. HUMANN,
E. D. HOLTON,
JOHN RUAN.

MESSAGE FROM THE SENATE.

By J. H. Warren, Chief Clerk thereof

MR. SPEAKER:

I am directed to inform you that the Senate has concurred in the passage of

No. 652, A., a bill for an act to amend section 15, of chap. 183, of the Rev. Statutes, entitled an act of offences cognizable before justices of the peace;

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature of 1858, being a part of chapter 129, of the Revised Statutes, entitled of injunctions and writs of *ne exeat*, and of receivers;

No. 637, A., a bill for an act providing for the filing of an official oath and bond of the county judge of Polk county;

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

No. 634, A., a bill for an act restoring Chas. H. Mains to citizenship;

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

No. 594, A., a bill for an act to amend section 16, of chapter 7, of the Revised Statutes, entitled of general and special elections;

No. 653, A., a bill for an act to amend chapter 19, of the Revised Statutes, entitled of highways and bridges;

No. 622, A., a bill for an act to amend sections 1 and 3, of

chapter 83, acts of a general nature of 1858, entitled an act to incorporate savings institutions;

No. 654, A., a bill for an act to change the name of Frank Pigne, and establish his guardianship and heirship;

No. 643, A., a bill for an act in relation to certain towns in St. Croix county;

Without amendment.

I am further directed to inform you that the Senate has indefinitely postponed

No. 487, A., a bill for an act to repeal chapter 164, of the Private and Local Laws of 1859, entitled an act to provide for the appointment of superintendent of public schools in the city of Kenosha;

And

No. 632, A., a bill for an act to amend section 20, of chapter 6, of the Revised Statutes, entitled of the public printing, and of the publication and distribution of statutes and other public documents.

I am directed to present for your signature, the following enrolled bills:

No. 120, S., a bill for an act relative to proceedings in county courts in certain cases;

No. 299, S., a bill for an act to amend section 12, of chapter 8, of an act to incorporate the city of Prescott, approved March 9, 1857;

No. 348, S., a bill for an act to prohibit officers and agents of the State from contracting indebtedness against the State;

No. 98, S., a bill for an act to amend chapter 25, of title 8, of the Revised Statutes, entitled of the publication of legal decisions;

No. 157, S., a bill for an act to enable the village of Manitowoc to build and maintain a bridge over the Manitowoc river;

No. 201, S., a bill for an act prescribing the duties of county surveyors in the subdivision of sections;

No. 337, S., a bill for an act in regard to testimony and witnesses;

No. 351, S., a bill for an act for the relief of Joseph Knur, of the county of Manitowoc;

No. 221, S., a bill for an act to amend chapter 81, of the Revised Statutes, entitled of the State Historical Society;

No. 304, S., a bill for an act to amend chapter 157, of the Revised Statutes, entitled of actions against the State;

No. 279, S., a bill for an act relating to the discipline of convicts in the State Prison.

I am directed to present for your signature the following enrolled bills:

No. 370, S., a bill for an act to authorize the Secretary of State to audit certain accounts for newspapers;

No. 192, S., a bill for an act to incorporate the Mississippi Bottom Plank Road and Ferry Company;

No. 269, S., a bill for an act to provide for issuing a patent of certain lands to Michael Gleiter;

No. 345, S., a bill for an act to appropriate the sum of four thousand dollars for the purchase of stationery for the use of State officers and the next Legislature;

No. 244, S., a bill for an act to provide for the payment of the chaplains to the Legislature for the year 1860;

No. 211, S., a bill for an act to provide for letting the public printing by contract, and to establish maximum prices for the execution thereof;

No. 339, S., a bill for an act to appropriate to B. Domschke the sum of \$150;

No. 311, S., a bill for an act to amend chapter 258, of the Session Laws of 1850, entitled "an act to incorporate the Fort Winnebago and Duck Creek Plank Road Company.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 141, A., a bill for an act to locate and establish school house sites;

No. 52, A., a bill for an act to authorize William Knowles, his associates or assigns, to build and maintain a dam across the Pecatonica river;

No. 494, A., a bill for an act to amend chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justices of the peace in criminal cases, and of the proceedings therein;"

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Baraboo Valley Railroad Company;


C. MILLER, *Ch'n.*

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 578, A., a bill for an act for the relief of John Ben-
er;

No. 570, A., a bill for an act for the relief of Soren Peter-
son;

No. 550, A., a bill for an act to require the treasurer of the



city of La Crosse to receive school district orders in payment of school tax;

No. 562, A., a bill for an act to define, confirm and legalize the acts of a fish inspector in the city of Milwaukee;

No. 618, A., a bill for an act to authorize the Commissioners of School and University lands to purchase certain lands therein named, and to appropriate money for the payment for said lands.

A. WOOD, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bill, and find the same correctly enrolled:

No. 551, A., a bill for an act to lay out a State road from Juneau county to Portage county.

C. MILLER, *Ch'n.*

The committee on Enrolled Bills have examined and compared the following bills, and find the same correctly enrolled:

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

No. 459, A., a bill for an act to amend section 37, of chapter 132, of the Revised Statutes, entitled of issues, mode of trial and judgment in civil actions;

No. 541, A., a bill for an act to change the name of Martha Pherm, and to establish her guardianship and heirship;

No. 302, A., a bill for an act to vacate certain lots of the town of the Island in Winnebago county;

No. 426, A., a bill for an act to amend section 21, of chapter 134, of the Revised Statutes, entitled of executions and proceedings supplemental thereto;

No. 79, A., a bill for an act to repeal chapter 508, of the private and local laws of 1856, entitled an act to amend chapter 330, of the private and local laws of 1855;

No. 77, A., a bill for an act to repeal chapter 330, of the private and local laws of 1855, entitled an act to incorporate the Wisconsin River Hydraulic Co.;

No. 78, A., a bill for an act to repeal chapter 270, of the private and local laws of 1853, entitled an act to authorize John Marshal, Joseph Baily, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a dam across the Wisconsin river.

E. KEOGH, *of Com.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled:

No. 568, A., an act to facilitate and authenticate the formation of a corporation by the purchase of the Milwaukee and Mississippi Railroad Company;

No. 139, A., an act to provide for the re-assessment of certain taxes in the city of Milwaukee, for the year 1856 and 1857;

No. 591, A., an act to appropriate to E. G. Garner the sum of \$50,25;

No. 418, A., a bill for an act to amend an act, entitled an act to incorporate the village of Waterloo, approved March 15, 1859;

No. 601, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

No. 484, A., a bill for an act relating to the assessment and collection of taxes on school, university and swamp lands, and of all lands mortgaged to the State;

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

No. 227, A., a bill for an act authorizing the laying out of a State road, from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

No. 508, A., a bill for an act to legalize certain State roads therein named;

No. 540, A., an act to appropriate a certain sum of money to the joint committee on State Prison;

No. 368, A., an act to facilitate the collection of judgments;

No. 581, A., an act to provide for indexing and transcribing the journals of the Senate and Assembly.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills respectfully report that they presented to the Governor for his approval, this 31st day of March, 1860, the following bills, to wit:

No. 551, A., a bill for an act to lay out a State road from Oneau county to Portage county;

No. 618, A., an act to authorize the Commissioners of school and university lands to purchase certain lands, therein named, and to appropriate for the payment for said lands;

No. 550, A., an act to require the Treasurer of the city of

La Crosse to receive school district orders in payment of school tax;

No. 497, A., an act to constitute Shawano county a part of the tenth judicial circuit, and to fix the terms of court therein;

No. 570, A., an act for the relief of Soren Peterson;

No. 578, A., an act for the relief of John Bender.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The joint committee on Enrolled Bills have presented to the Governor for his approval, this 31st day of March, 1860, the following bills, to wit:

No. 227, A., a bill for an act authorizing the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

No. 429, A., a bill for an act to amend an act to incorporate the city of Sheboygan and the several acts amendatory thereof;

No. 591, A., a bill for an act to appropriate to E. G. Garner the sum of \$50 25;

No. 581, A., a bill for an act to provide for indexing and transcribing the journals of the Senate and Assembly;

No. 540, A., a bill for an act to appropriate a certain sum of money to the joint committee on State Prison;

No. 601, A., a bill for an act to appropriate to Mygatt & Schmidtner the sum of \$200;

No. 484, A., a bill for an act relating to the assessment and collection of taxes on school, university and swamp lands, and of all lands mortgaged to the State;

No. 508, A., a bill for an act to legalize certain State roads therein named;

No. 868, A., a bill for an act to facilitate the collection of judgments;

No. 418, A., a bill for an act to amend an act entitled an act to incorporate the village of Waterloo, approved March the 15th, 1859.

GEO. BENNETT, *Sen. Com.*

C. MILLER, *Ass. Com.*

The joint committee on Enrolled Bills, presented to the Governor for his approval, this 31st day of March, 1860, the following bills, to wit:

No. 466, A., a bill for an act to reduce the capital stock of the Oshkosh Commercial Bank;

No. 541, A., a bill for an act to change the name of Martha Pherm, and to establish her guardianship and heirship;

No. 426, A., a bill for an act to amend section 21, of chapter 134, of the Revised Statutes, entitled of executions and proceedings supplemental thereto;

No. 459, A., a bill for an act to amend section 37, of chapter 132, of the Revised Statutes, entitled of issues, mode of trial and judgment in civil actions;

No. 302, A., a bill for an act to vacate certain lots of the town of the Island, in Winnebago county;

No. 77, A., a bill for an act to repeal chapter 330, of the Private and Local Laws of 1855, entitled "an act to incorporate the Wisconsin River Hydraulic Company;"

No. 78, A., a bill for an act to repeal chapter 270, of the private and local laws of 1853, entitled an act to authorize John Marshal, Joseph Baily, Edward Norris, Jonathan Bowman, James Christie, and their successors, to build and maintain a lam across the Wisconsin river;

No. 79, A., a bill for an act to repeal chapter 508, of the Private and Local Laws of 1856, entitled an act to amend chapter 330, of the Private and Local Laws of 1855;

No. 627, A., a bill for an act to appropriate to Andrew Bishop the sum of \$60;

No. 626, A., a bill for an act to appropriate to R. G. Nor-
on the sum of \$26 24;

No. 625, A., a bill for an act to appropriate Church & Haw-
y the sum of \$23;

No. 590, A., a bill for an act to appropriate to William F.
orter the sum of \$73 75;

No. 624, A., a bill for an act to appropriate to C. M. Mar-
n the sum of \$50;

No. 269, A., a bill for an act to appropriate to the Institute
r the education of the deaf and dumb, and the Institute for
e education of the blind of the State of Wisconsin, certain
ns of money therein named;

No. 572, A., a bill for an act for the preservation of fish in
counties of Manitowoc and Kewaunee;

No. 568, A., a bill for an act to facilitate and authenticate
formation of a corporation by the purchase of the Milwau-
and Mississippi Railroad Company;

No. 139, A., a bill for an act to provide for the re-assess-
it of certain taxes in the city of Milwaukee, for the years
6 and 1857.

GEO. BENNETT, *of Sen. Com.*,
C. MILLER, *of Assembly Com.*

he joint committee on Enrolled Bills, report that they
ented to the Governor for his approval, on the 30th inst.,
following bills:

No. 351, A., a bill for an act to amend an act entitled an act to incorporate the Green Bay, Milwaukee and Chicago Railroad Company, approved March 18, 1851, and the acts amendatory thereto;

No. 403, A., an act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown, in Brown county;

No. 313, A., a bill for an act to amend chapter 88, of the General Laws of 1857, entitled an act to authorize the establishment of a House of Refuge for juvenile delinquents in the State of Wisconsin;

No. 121, A., a bill for an act to amend section 4, of chapter 124, of the Revised Statutes, entitled of the manner of commencing civil actions;

No. 304, A., a bill for an act to authorize the common council of the city of Milwaukee to apply a portion of a ward tax of the second ward to pay for the improvement of a public square in block 165, in said ward;

No. 521, A., a bill for an act to amend an act entitled an act to incorporate the city of Racine, in the county of Racine, approved August 8, 1843, and the several acts amendatory thereto;

No. 445, A., a bill for an act to provide for the disposal and expenditure of the Drainage Fund moneys in the county of Oconto;

No. 169, A., a bill for an act regulating the rights of miners and persons digging for lead ore;

No. 398, A., a bill for an act to vacate and extinguish the town of Orville, in the county of Racine, and to attach the territory comprising the same to the towns of Mount Pleasant and Caledonia, in said county;

No. 283, A., a bill for an act to equalize the State tax for Brown county;

J. Res. in relation to the homestead bill in Congress;

No. 490, A., a bill for an act for the relief of the Reedsburgh Bank;

No. 460, A., a bill for an act legalizing a State road therein named;

No. 394, A., a bill for an act to authorize the board of trustees of the village of Viroqua, Bad Ax county, to levy a tax;

No. 450, A., a bill for an act to authorize the Secretary of State to audit certain accounts;

No. 472, A., a bill for an act to change the corporate name of the Plymouth Congregational Society in the county of Fond du Lac;

No. 287, A., a bill for an act to annex a part of the city of Appleton to the town of Grand Chute;

No. 228, A., a bill for an act authorizing the laying out of a State road from the village of Eau Claire to the mouth of Hay River, in Dunn county;

No. 188, A., a bill for an act relating to the estate of T. L. Vander Brock;

No. 446, A., a bill for an act for the protection of orchards and fruit trees;

No. 352, A., a bill for an act to incorporate the Milwaukee and Cedarburg Plank Road company;

No. 155, A., a bill for an act to provide for the purchase of real estate and the erection of suitable buildings thereon for the use of the 3d Ward in the city of Milwaukee;

No. 618, A., a bill for an act to authorize the common council of the city of Milwaukee to erect a breakwater in the 3rd Ward of said city.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Ass. Com.*

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled:

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

No. 649, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$85 18;

No. 212, A., a bill for an act to empower cities, towns and villages to grant the use of streets therein to certain railway companies;

No. 532, A., a bill for an act to lay out a State road from Musau to the State line north, and to make an appropriation therefor;

No. 650, A., a bill for an act to appropriate to Burt Brett the sum of \$49 75;

No. 651, A., a bill for an act to appropriate to J. B. Bowen the sum of \$26 18.

No. 527, A., a bill for an act to appropriate to Francis W.eland the sum of \$422 50;

No. 656, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$62,25;

No. 655, A., a bill for an act to appropriate to C. V. N.ridge the sum of \$52,77;

No. 556, A., a bill for an act to appropriate a certain sum of money to the committee on Charitable and Religious Societies.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills report that they presented to the Governor for his approval, on the 31st day of March, the following bills, to wit:

No. 452, A., a bill for an act to authorize the common council of the city of Sheboygan to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad;

No. 649, A., a bill for an act to appropriate to Edmund Gibbs the sum of \$85 18;

No. 212, A., a bill for an act to empower cities, towns and villages to grant the use of the streets therein to certain railway companies;

No. 532, A., a bill for an act to lay out a State road from Wausau to the State line, north, and to make an appropriation therefor;

No. 650, A., a bill for an act to appropriate to Burt Brett the sum of \$49 75;

No. 651, A., a bill for an act to appropriate to J. B. Bowes the sum of \$26 13;

No. 527, A., a bill for an act to appropriate to Francis W. Newland the sum of \$422 50;

No. 656, A., a bill for an act to appropriate to Bliss, Eberhard & Festner the sum of \$62 24;

No. 655, A., a bill for an act to appropriate to C. V. N. Kittridge the sum of \$52 77;

No. 556, A., a bill for an act to appropriate a certain sum of money to the committee on Charitable and Religious Societies.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assem. Com.*

The joint committee on Enrolled Bills, report that they, on the 31st inst., presented to the Governor for his approval the following bills:

No. 141, A., a bill for an act to locate and establish school house sites;

No. 52, A., a bill for an act to authorize William Knowles, his associates and assigns, to build and maintain a dam across the Pecatonica river;

No. 494, A., a bill for an act amend chapter 121, of the Revised Statutes, entitled "of the jurisdiction of justice in criminal cases, and the proceedings therein;"

No. 504, A., a bill for an act to amend the charter of the Milwaukee, Watertown and Barraboo Valley Rail Road Company.

GEO. BENNETT, *of Sen. Com.*
C. MILLER, *of Assembly Com.*

5 o'clock, P. M.

The Assembly came to order, and
On motion of Mr. Goodwin,
The Assembly adjourned till a quarter before 9 o'clock, on Monday morning.

MONDAY, APRIL 2, 8 3-4 o'clock, A. M.

The Assembly met.
The Speaker in the Chair.
On leave the following reports were made:

REPORTS OF COMMITTEES.

The committee on Enrolled Bills report that they have examined and compared the following bills and find them correctly enrolled:

No. 388, A., a bill for an act entitled an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof, approved Feb. 20th, 1852, and to amend the several acts amendatory thereof;

No. 640, A., a bill for an act to provide for the re-assessment of certain taxes in the city of Watertown for the year 1856, 1857 and 1858;

No. 150, A., a bill for an act to authorize the supreme court to pronounce final judgment in certain criminal cases;

No. 562, A., a bill for an act to amend an act entitled an act to define, confirm and legalize the acts of a fish inspector in the city of Milwaukee;

No. 37, A., a bill for an act in relation to the abatement and revivor of suits;

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads;

No. 533, A., a bill for an act relating to the assessment of taxes;

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled "an act to incorporate the village of Waupun;

No. 34, A., a bill for an act to repeal certain portions of chapter 136, of the Revised Statutes entitled, of writs and process;

No. 509, A., a bill for an act to amend chap. 12, of the Gen. Laws of 1859, relative to the sale of lands for unpaid taxes and the conveyance and redemption thereof;

No. 506, A., a bill for an act to provide for the expenditure of the drainage fund moneys in the county of Trempeleau;

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin with intent to pass the same as false;

No. 544, A., a bill for an act to legalize the organization and records of the Lyceum of the city of Green Bay;

No. 595, A., a bill for an act to vacate certain streets in the village of Sparta.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills report that on the 31st March, they presented to the Governor for his approval the following bills:

No. 388, A., a bill for an act to amend the act entitled an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof, approved February 20, 1852, and to amend the several acts amendatory thereof;

No. 640, A., a bill for an act to provide for the assessment of certain taxes in the city of Watertown, for the years 1856, 1857 and 1858;

No. 150, A., a bill for an act to authorize the Supreme Court to pronounce final judgment in certain criminal cases;

No. 37, A., a bill for an act in relation to the abatement and revivor of suits;

No. 562, A., a bill for an act to amend an act entitled an act to define, confirm and legalize the acts of a fish inspector in the city of Milwaukee;

No. 34, A., a bill for an act to repeal certain portions of

chapter 136, of the Revised Statutes, entitled of writs and process;

No. 381, A., a bill for an act to amend chapter 277, of the Private and Local Laws of 1857, entitled an act to incorporate the village of Waupun;

No. 533, A., a bill for an act relating to the assessment of taxes;

No. 458, A., a bill for an act to provide for the exemption of insurance money on homesteads;

No. 595, A., a bill for an act to vacate certain streets in the village of Sparta;

No. 544, A., a bill for an act to legalize the organization and records of the Lyceum of the city of Green Bay;

No. 517, A., a bill for an act to provide for the punishment of persons having in their possession counterfeit coin, with intent to pass the same as false;

No. 506, A., a bill for an act to provide for the expenditure of the Drainage Fund moneys in the county of Trempealeau;

No. 509, A., a bill for an act to amend chapter 22, of the General Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The joint committee on Enrolled Bills report that on this 31st March, inst., they presented to the Governor for his approval the following bills, viz:

No. 283, S., a bill for an act to appropriate the sum of \$5,000 to the State Prison Commissioner;

No. 195, S., a bill for an act to re annex certain lands to the towns of Milwaukee, Wauwatosa, Greenfield and Lake, in the county of Milwaukee;

No. 340, S., a bill for an act to appropriate to the commissioners of school and university lands of the State of Wisconsin the sum of \$750 as a contingent fund;

No. 158, S., a bill for an act relating to school, university, swamp and overflowed lands belonging to the State, and to repeal sec. 9, of chap. 29, of the Revised Statutes;

No. 264, S., a bill for an act to appropriate to J. W. Seeley the sum of \$36 25;

No. 331, S., a bill for an act to appropriate to Berliner & Bruno the sum of \$20;

No. 343, S., a bill for an act authorizing the Secretary of State to audit certain accounts;

No. 270, S., a bill for an act to provide for the auditing of claims and accounts ;

No. 98, S., a bill for an act to amend chap. 25, of title 8, of the Revised Statutes, entitled "of the publication of legal decisions ;"

No. 348, S., a bill for an act to prohibit officers and agents of the State from contracting indebtedness against the State ;

No. 299, S., a bill for an act to amend sec. 12, of chap. 3, of an act to incorporate the city of Prescott, approved March 9, 1859 ;

No. 120, S., a bill for an act relative to proceedings in county courts in certain cases ;

No. 317, S., a bill for an act for the relief of the Frontier Bank, and for its removal to Juneau, Dodge county, Wis. ;

No. 256, S., a bill for an act to incorporate the Winslow & Jamestown Railroad Co. ;

No. 358, S., a bill for an act in relation to the terms of the circuit court in Winnebago county ;

Also,

Mem. No. 6, A., memorial to the Postmaster General for re-instatement of service on route 13,031.

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled:

No. 624, A., an act to appropriate to C. M. Marvin the sum of \$50 ;

No. 590, A., an act to appropriate to Wm. F. Porter the sum of \$73 75 ;

No. 269, A., an act to appropriate to the Institute for the Education of the Deaf and Dumb and the Institute for the Education of the Blind of the State of Wisconsin, certain sums of money therein named ;

No. 572, A., an act for the preservation of fish in the counties of Manitowoc and Kewaunee ;

No. 627, A., an act to appropriate to Andrew Bishop the sum of \$60 ;

No. 626, A., an act to appropriate to R. G. Norton the sum of \$60 24 ;

No. 625, A., an act to appropriate to Church & Hawley the sum of \$23.

A. WOOD, *of Assem. Com.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled :

No. 421, A., an act to provide for the laying out of a State road from the village of Kiel, in Manitowoc county, to the town of Calumet, in Fond du Lac county ;

No. 617, A., an act to appropriate to L. H. D. Crane the sum of \$200 ;

No. 142, A., an act relative to persons mining for lead ore and other minerals ;

No. 545, A., an act to authorize the Governor of the State of Wisconsin to seize certain land on Green Island for the use of the State.

A. WOOD, of *Assem. Com.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills, report that they have examined the following bills and find them correctly enrolled:

No. 456, A., a bill for an act to authorize commissioners to vacate a certain Territorial road in the county of Waukesha ;

No. 485, A., a bill for an act relating to repairs of plank and turnpike roads ;

No. 469, A., a bill for an act authorizing an increase of highway tax in the county of Douglas, and in certain towns in the county of Fond du Lac ;

No. 40, A., a bill for an act to extend the time of payment of principal upon school and university land certificates ;

No. 580, A., a bill for an act to amend chapter 48, of the Private and Local Laws of 1859, entitled "an act to alter and establish the State road from Chilton to Menasha, and to provide for improving the same ;"

No. 395, A., a bill for an act to provide for the location and the construction of a portion of the State road from Oshkosh to Green Bay ;

And

No. 330, A., a bill for an act to amend section 11, of chapter 188, of the Revised Statutes, entitled of the State Prison.

Said bills were signed by the Speaker.

The committee on Enrolled Bills have examined and compared the following bills, to wit, and find the same correctly enrolled:

No. 493, A., a bill for an act, to amend chapter 184, of the Revised Statutes, entitled of inquest of the dead ;

No. 615, A., a bill for an act to incorporate the village of Anglesburg.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bills and find the same correctly enrolled:

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

No. 129, A., a bill for an act relating to the Milwaukee county court;

No. 221, A., a bill for an act to incorporate religious societies;

No. 652, A., a bill for an act to amend section 15, of chapter 183, of the Revised Statutes, entitled an act of offences cognizable before justices of the peace;

No. 546, A., a bill for an act to repeal sections 12 and 13, of chapter 47, of the General Laws of 1857, entitled an act to change the names of certain persons therein named;

No. 642, A., a bill for an act to amend an act entitled an act to incorporate the Mutual Life Insurance Company, of the city of Madison;

No. 513, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise parts of two or more Assembly districts;

No. 479, A., a bill for an act to revive and modify an act to incorporate the Milwaukee Cemetery Association, of the city of Milwaukee, approved August 16, 1848;

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads constructed by companies incorporated by special acts of the Legislature;

No. 600, A., a bill for an act to amend an act entitled an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee, and the acts amendatory thereof;

No. 292, A., a bill for an act to amend section 39, of the chapter 79, of the Revised Statutes, entitled of Railroads;

No. 594, A., a bill for an act to amend section 16, of chapter 7, of the Revised Statutes, entitled of general and special elections;

No. 405, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town;

No. 423, A., a bill for an act to repeal so much of section 6, of chapter 143, of the Private and Local Laws of 1857, as relates to the alteration of the boundaries of union school district No. 8, of the town of Monroe, in Green county;

No. 406, A., a bill for an act to incorporate the Deleavan academy;

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 36, of chapter 165, of the Revised Statutes, entitled of offences against property.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bills and find them correctly enrolled:

No. 512, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 585, A., a bill for an act to amend chapter 23, of the Revised Statutes, entitled of common schools;

No. 603, A., a bill for an act to reduce the capital stock of the North-Western Bank to \$10,000.

Also,

No. 407, A., a bill for an act to permit the board of supervisors of the several towns in the county of Milwaukee, to lay out and open highways of the width of three rods.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The committee on Enrolled Bills report that they have examined and compared the following bills, and find the same correctly enrolled:

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

No. 539, A., a bill for an act to remove the county seat of Green Lake county;

No. 609, A., a bill for an act to amend chapter 90, of Private and Local Laws of 1859, entitled an act to authorize the Second Ward Cemetery Association of the city of Milwaukee, to sell and convey a certain portion of their land;

No. 610, A., a bill for an act to amend chapter 80, of the acts of a general nature of 1858, being a part of chapter 129, of the Revised Statutes, entitled of injunctions and writs of *ne reat*, and of receivers;

No. 602, A., a bill for an act to reduce the capital stock of the Bank of Racine to \$25,000;

No. 462, A., a bill for an act authorizing the town clerk of the town of Port Washington to convey real estate;

No. 621, A., a bill for an act to provide for the election of rectors of the Manitowoc and Mississippi Railroad;

No. 637, A., a bill for an act providing for the filing of an official oath and bond of the county judge of Polk county;

No. 629, A., a bill for an act to perfect the Geological survey of the State;

No. 588, A., a bill for an act to ced jurisdiction to the United States over certain territory in the State of Wisconsin for the erection of a light house on Green Island, in Green Bay;

No. 616, A., a bill for an act to amend sec. 1, of chap. 107, of the Private and Local Laws of 1855, entitled "an act to incorporate the Kenosha Female Seminary;

No. 653, A., a bill for an act to amend chapter 19, of the Revised Statutes, entitled of highways and bridges;

No. 577, A., a bill for an act for the preservation of fish in Lake Ripley;

No. 503, A., a bill for an act to provide for the disposal of the drainage fund in the county of Manitowoc;

No. 557, A., a bill for an act to authorize the laying out of a State road from the Manitowoc river to the village of Menasha;

No. 622, A., a bill for an act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled an act to incorporate savings institutions;

No. 332, A., an act to protect certain counties, cities, towns and villages;

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county;

No. 654, A., a bill for an act to change the name of Frank Pige, and to establish his guardianship and heirship;

No. 634, A., a bill for an act restoring Charles W. Mains to citizenship;

No. 643, A., a bill for an act, in relation to certain towns in St. Croix county;

No. 623, A., a bill for an act to authorize the German Bank to reduce its capital;

No. 422, A., a bill for an act to incorporate the village of Wausau;

No. 608, A., a bill for an act to incorporate the German Mutual Insurance Company, of Milwaukee.

C. MILLER, *Ch'n.*

Said bills were signed by the Speaker.

The joint committee on Enrolled Bills report that on the 2d of April they presented to the Governor for his approval the following bills:

No. 633, A., a bill for an act restoring Horatio Mains to citizenship;

No. 539, A., a bill for an act to remove the county seat of Green Lake county;

No. 609, A., a bill for an act to amend chapter 80, of Private and Local Laws of 1859, entitled an act to authorize the

second ward Cemetery Association of the city of Milwaukee to sell and convey a certain portion of their land;

No. 602, A., a bill for an act to reduce the capital stock of the Bank of Racine, to \$25,000;

No. 462, A., a bill for an act to authorize the town clerk of the town of Port Washington to convey real estate;

No. 621, A., an act to provide for the election of directors of the Manitowoc and Mississippi Railroad;

No. 637, A., a bill for an act providing for the filing of an official oath and bond of the county judge of Polk county;

No. 629, A., a bill for an act to perfect the geological survey of the State;

No. 588, A., a bill for an act to cede jurisdiction to the United States over certain territory in the State of Wisconsin for the erection of a light house on Green Island, in Green Bay;

No. 616, A., a bill for an act to amend section 1, of chapter 109, of the Private and Local Laws of 1855, entitled "an act to incorporate the Kenosha Female Seminary;"

No. 653, A., a bill for an act to amend chapter 19, of the Revised Statutes, entitled "of highways and bridges;"

No. 577, A., a bill for an act for the preservation of fish in Lake Ripley;

No. 503, A., a bill for an act to provide for the disposal of the drainage fund in the county of Manitowoc;

No. 557, A., a bill for an act to authorize the laying out of a State road from the Manitowoc river to the village of Menasha;

No. 622, A., a bill for an act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled "an act to incorporate savings institutions;"

No. 332, A., a bill for an act to protect certain counties, cities, towns and villages;

No. 291, A., a bill for an act conferring jurisdiction on the county court of Winnebago county;

No. 654, A., a bill for an act to change the name of Frank Pige, and to establish his guardianship and heirship;

No. 634, A., and act restoring Charles W. Mains to citizenship;

No. 643, A., a bill for an act in relation to certain towns in St. Croix county;

No. 623, A., a bill for an act to authorize the German Bank to reduce its capital;

No. 422, A., a bill for an act to incorporate the village of Wausau;

No. 608, A., a bill for an act to incorporate the German Mutual Insurance Company, of Milwaukee;

No. 610, A., a bill for an act to amend chapter 80, of the act of a general nature of 1858, being a part of chapter 129, of the Revised Statutes, entitled "of injunctions and writs of neexeat, and of receivers."

GEO. BENNETT, *of Sen. Com.*

C. MILLER, *of Assembly Com.*

The joint committee on Enrolled Bills report that they presented to the Governor, on the 2d instant, for his approval, the following bills, to wit:

No. 11, A., a bill for an act to legalize the sale of lands for unpaid taxes in Douglas county;

No. 518, A., a bill for an act to provide for the removal of the county seat of Dunn county;

No. 129, A., a bill for an act relating to the Milwaukee county court;

No. 652, A., a bill for an act to amend section 15, of chapter 183, of the Revised Statutes, entitled "an act of offences cognizable before justices of the peace;"

No. 221, A., a bill for an act to incorporate religious societies;

No. 546, A., a bill for an act to repeal sections 12 and 13, of chapter 47, of the General laws of 1857, entitled "an act to change the name of certain persons therein named;"

No. 642, A., a bill for an act to amend "an act to amend an act to incorporate the Mutual Life Insurance Company of the City of Madison;"

No. 518, A., a bill for an act to provide for the holding of separate election polls in such towns in this State as comprise part of two or more Assembly districts;

No. 479, A., a bill for an act to revise and modify an act to incorporate the Milwaukee Cemetery Association, of the City of Milwaukee, approved August 16, 1848;

No. 222, A., a bill for an act to provide for the inspection of plank, gravel and turnpike roads constructed by companies incorporated by special acts of the Legislature;

No. 600, A., a bill for an act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company, of Milwaukee, and the acts amendatory thereof ;

No. 292, A., a bill for an act to amend section 89, of chapter 79, of the Revised Statutes, entitled "of general and special elections;"

No. 495, A., a bill for an act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town;

No. 423, A., a bill for an act to repeal so much of section 6,

of chapter 143, of the Private and Local Laws of 1857, as relates to the alteration of the boundaries of the union school district No. 8, of the town of Monroe, in Green county;

No. 406, A., a bill for an act to incorporate the Delavan academy;

No. 377, A., a bill for an act concerning warehouse receipts and bills of lading, and to repeal section 30, of chapter 165, of the Revised Statutes, entitled "of offences against property;"

No. 594, A., a bill for an act to amend section 16, of chapter 7, of the Revised Statutes, entitled "of general and special elections.

The joint committee on Enrolled Bills report that they have, on the 2d inst., presented to the Governor for his approval, the following bills, to-wit:

No. 502, A., a bill for an act requiring publication of notice of proposed special or local legislation;

No. 585, A., a bill for an act to amend chapter 23, of the Revised Statutes, entitled "of common schools;"

No. 603, A., a bill for an act to reduce the capital stock of the North Western Bank to \$40,000;

No. 407, A., a bill for an act to permit the board of Supervisors of the several towns in the county of Milwaukee, to lay out and open highways of the width of three rods.

G. BENNETT, *of Senate.*

C. MILLER, *of Assembly.*

MESSAGE FROM THE SENATE,

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:

I am directed to present for your signature the following enrolled bills:

Mem. No. 6, S., memorial to the Post Master General for reinstatement of service on route 13,031;

No. 256, S., a bill for an act to incorporate the Winslow and Jamestown Railroad Company;

No. 358, S., a bill for an act in relation to the terms of the circuit court in Winnebago county;

No. 317, S., a bill for an act for the relief of the Frontier Bank, and for its removal to Juneau, Dodge county, Wisconsin.

Said bills were signed by the Speaker.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
MADISON, April 2, 1860.

To the Assembly :

The following entitled bills, &c., originating in the Assembly, have severally received the Executive signature, and have been deposited in the office of the Secretary of State:

An act to authorize the Secretary of State to audit certain accounts;

An act to appropriate to A. G. Darwin the sum of \$257,56; Jt. Res., objecting to any change of the naturalization laws;

An act to authorize the Bank of Oshkosh to make and file new articles of association and to continue the banking business;

An act exempting certain university lands from taxation;

An act to incorporate the St. Anthony Mutual Relief Society of the city of Milwaukee;

An act to authorize the city of Milwaukee to construct certain bridges;

An act to amend chap. 139, of the Revised Statutes, entitled of appeals, writs of error, and proceedings thereon;”

An act to enable the city of Fond du Lac to settle with its bond-holders;

An act to legalize the official acts of Willard T. Chase, a justice of the peace of the county of Dane;

An act to amend an act entitled an act to incorporate the Peshtigo Lumbering and Manufacturing Company, approved Oct. 11, 1856, and the amendments thereto;

An act to amend and consolidate the several school districts in the city of Fond du Lac, approved Feb. 24, 1859;

An act to provide for laying out a State road from Ashland to Chippewa Falls;

An act to provide for laying out a State road from Superior to Chippewa Falls;

An act to authorize the Secretary of State to audit certain accounts;

An act to amend chapter 25, of the Revised Statutes, entitled of the publication of legal decisions;

An act to provide for the payment of money to the Waupaca county Agricultural Society for the year 1856;

An act to authorize the city of Milwaukee to construct and maintain certain bridges;

An act to appropriate to Moseley & Brother the sum of \$217 98;

An act to authorize the city of Milwaukee to construct a certain bridge;

An act to organise Shawano county for judicial purposes.

An act to postpone the tax sale in Douglas county;

An act regulating the rights of miners and persons digging for lead ore;

An act to equalize the State tax for Brown county;

An act to vacate and extinguish the town of Orwell in the county of Racine, and to attach the territory comprising the same to the towns of Mount Pleasant and Caledonia in said county;

An act to provide for the disposal and expenditure of the drainage fund moneys in Oconto county;

An act to amend an act entitled an act to incorporate the city of Racine, in the county of Racine, approved August 8, 1848, and the several acts amendatory thereof;

Jt. Res. in relation to the homestead bill in Congress;

An act to amend section 4, of chapter 124, of the Revised Statutes, entitled of the manner of commencing civil actions;

An act to provide for the purchase of real estate, and the erection of suitable building thereon, for the use of the 3rd ward of the city of Milwaukee;

And act relating to the estate of T. J. Vanden Brock;

An act authorizing the laying out of a State road from the village of Eau Claire City, in Eau Claire county, to the mouth of Hay river, in Dunn county;

An act to annex a part of the city of Appleton to the town of Grand Chute;

An act to authorize the common council of the city of Milwaukee to apply a portion of a ward tax of the 2d ward to pay for the improvement of a public square in block 165, of said ward;

An act to amend chapter 88, of the General Laws of 1857, entitled an act to authorize the establishment of a House of Refuge for juvenile delinquents in the State of Wisconsin;

An act to amend an act entitled an act to incorporate the Green Bay, Milwaukee and Chicago Railroad company, approved March 18, 1851, and the acts amendatory thereto;

An act to incorporate the Milwaukee and Cedarburgh Plank Road Company;

An act to authorize the board of trustees of the village of Viroqua, Bad Ax county, to levy a tax;

An act to provide for laying out a State road from Chilton, in Calumet county, to Wrightstown in Brown county;

An act for the protection of orchards and fruit trees;

An act to authorize the Secretary of State to audit certain accounts;

An act legalizing a State road therein named;

An act to provide for laying out a State road from sections 14 and 15, town 22, range 21, to the city of Green Bay;

An act to change the corporate name of the Plymouth Congregational Society in the city of Fond du Lac;

An act for the relief of the Reedsburg Bank;

An act to authorize the common council of the city of Milwaukee to erect a breakwater in the 8rd ward of said city;

An act to repeal chapter 880, of the Private and Local Laws of 1855, entitled an act to incorporate the Wisconsin River Hydraulic Company;

An act to repeal chapter 270, of the Private and Local Laws of 1853, entitled an act to authorize John Marshall, Joseph Bailey, Edward Norris, Jonathan Bowman, James Christie, and their successors to build and maintain a dam across the Wisconsin river;

An act to repeal chapter 508, of the Private and Local Laws of 1856; entitled an act to amend chapter 330, of the Private and Local Laws of 1855;

An act to vacate certain lots in the town of the Island, in Winnebago county;

An act to amend section 21, of chapter 134, Revised Statutes, entitled of executions, and proceedings supplemental thereto;

An act to amend section 37, of chapter 132, of the Revised Statutes, entitled of issues, mode of trial, and judgment in civil actions;

An act to reduce the capital stock of the Oshkosh Commercial Bank;

An act to provide for the re-assessment of certain taxes in the city of Milwaukee for the years 1856 and 1857;

An act to empower cities, towns and villages to grant the use of streets therein to certain railway companies;

An act to appropriate to the institute for the education of the deaf and dumb, and the institute for the education of the blind, of the State of Wisconsin, certain sums of money therein named;

An act to authorize the common council of the city of Sheboygan, to levy and collect a tax to pay interest on bonds issued to aid in the construction of the Sheboygan and Mississippi Railroad Company;

An act to appropriate to Francis W. Newland the sum of \$422 50;

An act to lay out a State road from Wausau to the State line north, and to make an appropriation therefor;

An act to appropriate a certain sum of money to the committee on Charitable and Religious Societies;

An act to facilitate and authenticate the formation of a corporation for the purchase of the Milwaukee and Mississippi Railroad Company;

An act for the preservation of fish in the counties of Manitowoc and Kewaunee;

An act to appropriate to Wm. F. Porter the sum of \$73 75;

An act to appropriate to C. M. Marvin the sum of \$50;

An act to appropriate to Church & Hawley the sum of \$23;

An act to appropriate to R. G. Norton the sum of \$26 24;

An act to appropriate to Andrew Bishop the sum of \$60;

An act to appropriate to Edmund Gibbs the sum of \$85 18;

An act to appropriate to Burt Brett the sum of \$49 75;

An act to appropriate to J. B. Bowen the sum of \$26 13;

An act to appropriate to C. V. N. Kittridge the sum of \$52 77;

An act to appropriate to Bliss, Eberhard and Festner the sum of \$62 24;

An act to authorize the laying out of a State road from Eau Claire, in Eau Claire county, to the mouth of the river Flambeau, in Chippewa county;

An act to facilitate the collection of judgments;

An act to amend an act entitled an act to incorporate the village of Waterloo, approved March 15, 1859;

An act to amend an act to incorporate the city of Sheboygan, and the several acts amendatory thereof;

An act relating to the assessment and collection of taxes on school, university and swamp lands, and of all lands mortgaged to the State;

An act to legalize a certain State road therein named;

An act to appropriate a certain sum of money to the joint committee on State Prison;

An act to provide for indexing and transcribing the journals of the Senate and Assembly;

An act to appropriate to E. G. Garner the sum of \$50 25;

An act to appropriate to Mygatt and Schmidtner the sum of \$200;

An act to constitute Shawano county a part of the Tenth Judicial Circuit, and to fix the terms of court therein;

An act to require the treasurer of the city of La Crosse to receive school district orders in payment of school tax;

An act to lay out a State road from Juneau county to Portage county;

An act for the relief of Soren Peterson;

An act for the relief of John Bender;

An act to authorize the Commissioners of School and Uni-

versity Lands to purchase certain lands therein named, and to appropriate money for the payment for said lands;

An act to authorize William Knowles, his associates or assigns, to build and maintain a dam across the Pecatonica river;

An act to locate and establish school house sites;

An act to amend chapter 12, of the Revised Statutes, entitled of the jurisdiction of justices in criminal cases, and of the proceedings therein;

An act to amend the charter of the Milwaukee, Watertown and Baraboo Valley Railroad Company;

An act to repeal certain portions of chapter 186, of the Revised Statutes, entitled of writs and process;

An act in relation to the abatement and revivor of suits;

An act authorizing the Supreme Court to pronounce final judgment in certain criminal cases;

An act to amend chapter 277, of the Private and Local Laws of 1857, entitled an act to incorporate the village of Waupun;

An act to amend the act entitled an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof, approved February 20, 1852, and to amend the several acts amendatory thereof;

An act to provide for the exemption of insurance money on homesteads ;

An act to provide for the expenditure of the drainage fund money in the county of Trempealeau ;

An act to provide for the punishment of persons having in their possession counterfeit coin with the intent to pass the same as false ;

An act relating to the assessment of taxes ;

An act to legalize the organization and records of the Lyceum of the city of Green Bay ;

An act to amend an act entitled an act to define, confirm and legalize the acts of a fish inspector of the city of Milwaukee ;

An act to amend chap. 22, of the Gen. Laws of 1859, relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof ;

An act to vacate certain streets in the village of Sparta ;

An act to provide for the re-assessment of certain taxes in the city of Watertown for the years 1856, 1857 and 1858 ;

An act to legalize the sale of lands for unpaid taxes in Douglas county ;

An act relating to the Milwaukee county court ;

An act relative to persons mining for lead ore and other minerals ;

An act to incorporate religious societies ;

An act to provide for the inspection of plank, gravel and turnpike roads, constructed by companies incorporated by special acts of the Legislature ;

An act conferring jurisdiction on the county court of Winnebago county ;

An act to amend sec. 9, of chap. 79, of the Rev. Statutes, entitled "of railroads ;"

An act to protect certain counties, cities, towns and villages ;

An act concerning warehouse receipts and bills of lading, and to repeal section 36, of chapter 165, of the Rev. Statutes, entitled "of offences against property ;"

An act to permit the boards of supervisors of the several towns in the county of Milwaukee to lay out and open highways of the width of three rods ;

An act to provide for the laying out of a State road from the village of Kiel, in Manitowoc county, to the town of Calumet, in Fond du Lac county ;

An act to incorporate the village of Wausau ;

An act authorizing the town clerk, of the town of Port Washington, to convey real estate ;

An act to revive and modify an act to incorporate the Milwaukee Cemetery Association of the city of Milwaukee, approved August 16, 1848 ;

An act to cede to the town of Norway, in Racine county, the swamp and overflowed lands in said town ;

An act requiring publication of notice of proposed special or local legislation ;

An act to provide for the holding of separate election polls in such towns in this State as comprise parts of two or more Assembly districts ;

An act to provide for the removal of the county seat of Dunn county ;

An act to remove the county seat of Green Lake county ;

An act to authorize the Governor of the State of Wisconsin to seize certain lands on Green Island for the use of the State ;

An act to repeal sections 12 and 13, of chap. 47, of the Gen. Laws of 1857, entitled "an act to change the names of certain persons therein named ;"

An act to authorize the laying out of a State road from the Manitowoc river, to the village of Menasha ;

An act for the preservation of fish in Lake Ripley ;

An act to amend chap. 23, of the Rev. Statutes, entitled "of common schools ;"

An act to cede jurisdiction to the United State over certain territory in the State of Wisconsin, for the erection of a light house on Green Island, in Green Bay ;

An act to provide for the disposal of the drainage fund in the county of Manitowoc ;

An act to amend sec. 16, of chap. 7, of the Rev. Statutes, entitled " of general and special elections ;"

An act to amend an act entitled " an act to incorporate the Merchants' Mutual Insurance Co. of Milwaukee," and the acts amendatory thereof ;

An act to reduce the capital stock of the Bank of Racine to \$25,000 ;

An act to reduce the capital stock of the Northwestern Bank to \$10,000 ;

An act to incorporate the German Mutual Insurance Co. of Milwaukee ;

An act to amend chapter 90, of Private and Local Laws of 1859, entitled " an act to authorize the Second Ward Cemetery Association of the city of Milwaukee, to sell and convey a certain portion of their land ;"

An act to amend chap. 80, of the acts of a general nature of 1858, being a part of chap. 129, of the Rev. Statutes, entitled " of injunctions, and writs of *ne exeat*, and of receivers ;"

An act to amend sec. 1, of chap. 107, of the Private and Local Laws of 1855, entitled " an act to incorporate the Kenosha Female Seminary ;"

An act to appropriate to L. H. D. Crane the sum of \$200 ;

An act to provide for the election of directors of the Manitowoc & Mississippi Railroad ;

An act to amend sections 1 and 3, of chapter 83, acts of a general nature of 1858, entitled " an act to incorporate savings institutions ;"

An act to authorize the German Bank to reduce its capital ;

An act to perfect the geological survey of the State ;

An act restoring Horatio Mains to citizenship ;

An act restoring Charles W. Mains to citizenship ;

An act providing for the filing of an official oath and bond of the county judge of Polk county ;

An act to amend an act entitled " an act to amend an act to incorporate the Mutual Life Insurance Company of the city of Madison ;"

An act in relation to certain towns in St. Croix county ;

An act to amend section 15, of chapter 183, of the Revised Statutes, entitled " of offences cognizable before justices of the peace ;"

An act to change the name of Frank Pige, and to establish his guardianship and heirship ;

An act to amend chapter 19, of the Revised Statutes, entitled " of highways and bridges ;"

An act to extend the time of payment of principal upon school and university land certificates;

An act to amend section 11, of chapter 188, of the Revised Statutes, entitled "of the State Prison;"

An act to provide for the location and construction of a portion of the State road from Oshkosh to Green Bay;

An act to authorize the commissioners to vacate a certain territorial road in the county of Waukesha;

An act to authorize an increase of highway tax in the county of Douglas;

An act relating to repairing of plank and turnpike roads;

An act to amend chapter 184, of the Revised Statutes, entitled "of inquests of the dead;"

An act to amend chapter 43, of the Private and Local Laws of 1859, entitled "an act to alter and establish the State road from Chilton to Menasha, and to provide for improving the same;"

An act to incorporate the village of Englesburg.

ALEX. W. RANDALL.

Mr. Ordway introduced the following:

J. Res. No. 36, A.,

Resolved, by the Assembly, the Senate concurring, That a joint committee of two from the Assembly and one from the Senate be appointed to wait upon the Governor and inform him that the two houses had finished the business before them, and were ready to adjourn; and to inquire whether he had any further communication to make to the Legislature;

Which was adopted.

Messrs. Ordway and Keogh were appointed said committee on the part of the Assembly.

On motion of Mr. Palmer,

The Chief Clerk was directed to inform the Senate that the Assembly has completed the business before it, and was ready to adjourn.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:—

I am directed to inform you that the Senate has concurred in the passage of

J. Res. No. 36, A.,

And has appointed Senator Cox committee on the part of the Senate.

MESSAGE FROM THE SENATE.

By J. H. Warren, Esq., Chief Clerk thereof.

MR. SPEAKER:—

I am directed to inform you that there is no business before the Senate awaiting its action.

The committee appointed under joint resolution No. 86, A., reported that they had performed the duty required, and were requested by the Governor to inform the Senate and Assembly that he had no further communication to make.

The Speaker then declared Assembly adjourned, *sine die*.

APPENDIX TO ASSEMBLY JOURNAL.



IN ASSEMBLY, FEBRUARY 28, 1860.

APPENDIX A.

MESSAGE FROM THE GOVERNOR,

IN RELATION TO THE

SWAMP AND OVERFLOWED LANDS.

RECEIVED FEBRUARY 28, 1860, AND REFERRED TO COMMITTEE ON SWAMP AND
OVERFLOWED LANDS.

JAMES ROSS, STATE PRINTER,—PATRIOT OFFICE.



GOVERNOR'S MESSAGE

IN RELATION TO THE

SWAMP AND OVERFLOWED LANDS.

EXECUTIVE OFFICE,

MADISON, Wis., February 20, 1860.

To the Honorable the Legislature :

By an act of Congress, approved September 28th, 1850, it was provided, "that to enable the state of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, *the whole* of those swamp and overflowed lands, made thereby unfit for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby granted to said State."

Section two, made it the duty of the Secretary of the Interior, as soon as might be practicable after the passage of the act, to make out *an accurate list and plats* of the lands described as aforesaid, and transmit the same to the Governor of the State of Arkansas, and at the request of said Governor, cause a patent to be issued to the State therefor; *and on that patent* the fee simple to said lands should vest in the State of Arkansas, subject to the disposal of the legislature thereof, &c.

Section three, provided "that in making out a list and plats of the lands aforesaid all *legal subdivisions*, the greater part of which is 'wet and unfit for cultivation,' shall be included in said list and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded herefrom."

Section four, recites "that the provisions of this act be extended to, and their benefits are conferred upon, each of the other States of the Union, in which such swamp and over

flowed lands, known and designated as aforesaid, may be situated."

By this act the right of the State to "*the whole of the swamp and overflowed lands made unfit thereby for cultivation,*" was fixed, and it could not be divested of that right, by any act of the government authorities, nor released except by the direct action of the law making power of the State. No agent or officer of the State could do any act, directly or indirectly, releasing the right of the State to the whole or any part of the "*whole of those swamp and overflowed lands.*" If the Governor or any other officer or agent of the State could release the right of the State to any of the lands which were in fact swamp and overflowed, without an act of the legislature authorizing such release, then he could release the right of the State to the whole of them, and the extent to which the State would be benefitted by such a grant might depend upon the whim, caprice, lack of judgment or dishonesty of the officer or agent. The right of the State cannot be foreclosed by the arbitrary act of any department of the government, nor can it be concluded by the act of any officer or agent of the State, except when he is expressly authorized by the Legislature, until in the language of the act of Congress, the title to "*the whole of those swamp and overflowed lands made unfit thereby for cultivation,* which shall remain unsold at the passage of this act" shall be vested in the State. The right of the State does not depend upon the lists made out, or upon the issuing of patents to the State, but upon the act of Congress and *upon the fact whether the lands were swamp and overflowed lands made unfit thereby for cultivation,*" &c.

The State is entitled to all such lands, whether the United States Surveyors have reported them as swamp and overflowed lands or not, unless the State, by an act of its Legislature, confined itself to the precise report of the United States Surveyor, which are well known, both to the State and Government authorities, to be and to have been very inaccurate. The State, as will appear by the correspondence sent to the Assembly, has never acquiesced in the policy which has been pursued by the Government. The fact that 1,600,000, or any other amount of lands have been approved to the State, as taken from the Surveyor's reports, does not and cannot exclude the State from the possession of or right to all other lands which were, *in fact*, swamp and overflowed lands, although not so returned by the Government Surveyors.

An act of the Legislature of this State, approved by Governor Dewey, March 15th, 1851, during the first session of the Legislature after the passage of the act of Congress, author-

ized the Governor of the State to appoint such number of persons as he *may deem advisable*, to act under his direction in selecting the swamp lands granted to this State by the act of Congress approved September, 1850." It also authorized the employment of surveyors, chain-bearers, &c. The Legislature, so far as I am advised or can discover, provided for no other mode of selecting these lands, except through agents, surveyors, &c., so appointed.

The act of Congress of 1850, did not provide for a conference of the Commissioners of the United States Land Office with the Governors of the several States as to the adoption of plans for the selection of these lands.

In the case of this State, Gov. Dewey, in his letter to the Surveyor General, dated June 3, 1851, less than three months after the Legislature passed the act authorizing the appointment of agents, surveyors, &c. for the purpose of selecting these lands, and without any law authorizing, so far as I can discover, such a change of policy, said: "I have to advise you that this State is willing to adopt the field notes of the surveyors, on file in your office, as the basis of making out the lists of lands granted by the act of Congress named."

The letter of instructions, of the Commissioner of Land Office to the Surveyor General of Iowa, Wisconsin, &c., dated Nov. 21, 1850, says: "This act (meaning the act of Sept. 28, 1850,) *clearly and unequivocally grants to the several States those lands which, from being swampy, or subject to overflow, are unfit for cultivation.* In this class is included all lands which, though dry parts of the year, are subject to inundation at the planting, growing or harvesting season, so as to destroy the crops, and therefore are unfit for cultivation, taking the average of the seasons, for a reasonable number of years as the rule of determination." "You will please make out a list of all the lands thus granted to the State, designating those which have been sold or otherwise disposed, since the passage of the law, and the price paid for them when purchased. The only *reliable data in your possession* from which these lists can be made out, are the field notes of the surveyors on file in your office, and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. *If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, you will so report them.*"

Here were two modes of determining what were swamp and overflowed lands, within the meaning of the act of Congress, one from the field notes on file in the office of the Surveyor General, and the other by the satisfactory evidence furnished

by the State authorities, that any lands are of the character embraced by the grant. The Legislature provided for furnishing the evidence to the Surveyor General, by the act of 15th of March, 1851, authorizing the employment of agents, surveyors, &c., and Gov. Dewey adopted the field notes.

Whether an agent or officer of a government has more power than the government itself, and could bind the State, and conclude it in any of its rights by a mode of proceeding directly contrary to law, presents itself here as a very serious question if it is proposed voluntarily to give up the rights of the State to hundreds of thousands of acres of land to which it is in law entitled, without an effort to maintain that right. While it is true that the Legislature and all the State officers had a right to presume the government surveys to have been correct, yet the Governor in this case acted, so far as I can ascertain upon his own responsibility and without authority from the Legislature or law making power of the State. Even had the selections been made by authority of the Legislature, there would be no principle of justice that could bind the State to the reports of the surveyors where the reports are not correct. The commissioner of the land office in proposing the field votes to the Governors of the several States as a basis, made an implied guarantee that those notes described the land correctly and *the whole of them*. But they do not; and in hundreds of cases do not describe them at all. To set at rest, however, without any argument on the subject what rights the State acquired under the act of Congress of 1850, I will here quote from an opinion of the Attorney General of the United States, in a communication to the Secretary of the Interior, dated Nov. 10, 1858, in a case when the railroad companies in Arkansas, to whom grants of lands had been made, claimed the right to take up all the swamp lands which had not been patented to the State. He says :

“Where there is a conflict between two titles, derived from the same source, either of which would be good if the other were out of the way, the older one must always prevail—*prior in tempore, potior est in jure*. This difficulty therefore is solved, if the mere grant, as you call it, gave the State a right to the land from the day of its date. That it did so there can be no doubt. In an opinion which I sent you on the 7th of June, 1857, concerning one of the same laws now under consideration, I said that a grant of Congress, does of itself *proprio vigore*, pass to the grantee all the estate which the United States had in the subject matter of the grant, except what is expressly excepted. I refer you to that opinion, for the reasons and authorities upon which the principle is grounded. It

is not necessary that the patent should issue before the title vests in the State under the act of 1850. The act of Congress was itself a perfect grant, wanting nothing but a definition of boundaries to make it perfect; and to attain that object, the Secretary of the Interior was directed to make out an accurate list and plat of the lands, and cause a patent to be issued therefor. But when a party is authorized to demand a patent for land, his title is vested as much as if he had the patent itself, which is but evidence of his title. The authority given to the State Legislature to dispose of the lands upon the patent, does not make the grantee less the exclusive owner of them than he would be if those words were omitted. The object of that clause, undoubtedly, was to prevent the Legislature of the State from a premature interference with the lands before they were so designated as to preclude mistake or confusion." * *

"There are cases, in which grants are made under descriptions, so vague and indefinite, that neither the grantee nor any other person can tell their location or boundaries until the grantee does some act which locates and defines them. In such case, if another right, which is strictly defined, intervenes, the just grantee may lose what he would have been entitled to if his own grant had been descriptive and definite. But that principle does not apply here, because the general description of *all swamp and overflowed lands within the limits of Arkansas is definite enough for the purposes of notice.*"

The right of the State to the swamp and overflowed lands is perfect under the act of 1850, and it remains only to be determined what were and are swamp and overflowed lands in fact, when a point is reached where other acts of Congress step in without the aid or intervention of government officers, and point out the steps necessary to be taken to secure the rights of the State.

Sention 1, of an act of the Legislature of this State, provides that "that the Governor of this State is hereby authorized and *required* to employ such number of skillful and practical surveyors, as he may deem necessary, to make an actual and personal survey and report of all overflowed lands granted to this State by act of Congress of the United States, approved September 28, 1850; provided the expense of such surveys shall be reimbursed to the treasury out of the first sales of such lands."

Section 3 provides: "The Governor is also authorized and *required* to take all necessary measures to ascertain the amount of swamp and overflowed lands, granted to this State by the act aforesaid, *which may have already been or hereafter may be* disposed of by the United States since the passage of said act,

and to draw and receive from the treasury of the United States, all such sums of money as may be justly due from the United States on account of the disposal of any such lands, and pay the money so received into the treasury of this State."

The act of 1857, authorized the Governor to authorize to be surveyed the islands in the Mississippi and Wisconsin rivers, and the unsurveyed lands adjacent to said rivers, belonging to this State, granted by act of Congress, &c., and *to do all other things* he may deem necessary to obtain from the United States the patents for the lands situate in such islands, belonging to this State.

An act, approved May 15, 1858, amended the last above mentioned law by enlarging the area and localities to be surveyed.

An act, approved April 29, 1858, released the claim of the State to swamp and overflowed lands which had been sold by the United States to any individual or individuals prior to the issue of any patent to the State, and made it the duty of the Governor to locate a like amount of lands in conformity with the provisions of the act entitled "an act for the relief of purchasers and locators of swamp and overflowed lands," approved March 2d, 1855, &c.

An act of the Legislature of this State, approved March 8, 1859, provided for paying the expenses of surveyors of swamp and overflowed lands, and the expenses of the examination of records in any of the land offices of this State, which, in the judgment of the Executive, were necessary to be made, &c., out of the general fund.

It also provided that all accounts for surveying swamp and overflowed lands, and for services in examining records, as provided by the act, should be audited by the Secretary of State, and that the money drawn from the general fund for these purposes, should be reimbursed to the same, from the swamp land fund as soon as funds are realized from the sale of swamp lands.

In my annual message to the Legislature of 1859, I recommended the passage of this act, for the purposes named it, and it was passed in conformity with that recommendation. These surveys were, and still continue to be eminently proper and necessary, in order to ascertain the rights of the State, and there is no other possible mode by which it can be done. The surveys of the government surveyors do not always extend to the small legal subdivisions, and it will be seen by the instructions and rules of the land department, that the rights of the State in one respect, are to be tested by the fact whether the greater part of each of the smallest legal subdivisions is of the character denominated as swamp.

Independent of the authority both express and implied to cause these surveys to be made, the Governor was not only authorized but *required*, "to take all necessary measures to ascertain the amount of swamp and overflowed lands granted to this State which may have already been or hereafter may be disposed of by the United States since the passage of the act" of Congress. The only way in which that duty could be performed was, and is, by personal survey and examination of the lands, ascertaining and establishing boundaries, &c., and in connection therewith by a thorough examination of the records. The necessity, not only of what has been done, but of what should continue to be done, will more fully appear by referring in this connection to the act of Congress approved March 2d, 1855, to-wit:

"That the President of the United States cause patents to be issued, as soon as practicable to the purchaser or purchasers, locator or locators, who have made entries of the public lands, *claimed as swamp lands*, either with cash or land warrants, or with scrip, prior to the issue of patents to the State or States, as provided for by the second section of the act approved Sept. 28, 1850, entitled 'an act to enable the State of Arkansas and other States, to reclaim the swamp lands within their limits,' any decision of the Secretary of the Interior or other officer of the government of the United States to the contrary notwithstanding," &c., with a proviso that in all cases where any State through its constituted authorities, may have sold or disposed of any tracts of said lands, prior to the entry sale or location of the same under the preemption or other laws of the United States, no patent should be issued by the President until the State had released its claim, &c.

The second section says: "That upon due proof by the authorized agent of the State or States, before the Commissioner of the General Land Office, *that any of the lands purchased were swamp and overflowed lands, within the true intent and meaning* of the act aforesaid, the purchase money shall be paid over to the said State or States; and where the lands have been located by warrant or scrip, the said State or States shall be authorized to locate a quantity of like amount, upon any of the public lands subject to entry, at one dollar and a quarter per acre or less, and patents shall issue therefor upon the terms and conditions enumerated in the act aforesaid," &c.

By an act of Congress approved March 3, 1857, the act of March 2, 1855, above recited, was continued in force and extended to all entries and locations of land claimed as swamp land, made since its passage. The "due proof" contemplated by the 2d section of the act of 1855, by the authorized agent of the State

or States, before the Commissioner of the Land Office that any of the lands purchased were swamp lands, within the true intent and meaning of the act of 1850, is proof outside of the lists and field notes of the government surveyors. It would not be required of an agent of the State to furnish to the Commissioner of the General Land Office, proof that lands were swamp lands within the true intent and meaning of the act of 1850, when the lists and field notes themselves were in the Commissioner's office, showing them to be such, unless it is assumed that the Land Department had so little faith in its own records, and in the integrity of the government surveyors, as to require proof to be furnished by an agent of the State to authenticate the government records, and to satisfy the Land Department that its own records were reliable and correct.

The "*due proof*" contemplated by that act, is satisfactory evidence that the lands were swamp lands *in fact*, and not whether they had been returned as such by the government surveyors. If they were, or are swamp lands *in fact*, whether returned as such or not, then they come within the provisions of that act, and the State is entitled to the benefit of them upon making "*due proof*." This act was passed several years after the arrangement between the land department and the Executive of the State to adopt the field notes as the basis of settlement. The commissioner of the land office, Hon. Thos. A. Hendricks, in his circular to the several land offices of this State, accompanying copies of the law of 1857, took the same view of this question. He said:

"In order that you may be advised of our views and be prepared to report all necessary information to parties seeking it at your office, I would say that the lands sold or appropriated by the United States, or upon which actual settlements have been made under existing laws prior to the passage of this act, are not thereby confirmed, although selected as swamp. The purchasers and locators will receive patents, and *the State upon making proof* that the lands sold or located *were in fact* swamp or overflowed, will receive the purchase money paid therefor, or other lands, as provided by the section second of the act of 2d March, 1855."

The State can only make "*proof*" by furnishing evidence of the fact that the lands were or are swamp and overflowed lands. I know of no way of furnishing it to the department, until it is procured by the State. I know of no way for the State to procure it, where the lands have not been returned as swamp and overflowed land by the government surveyors, except in the manner authorized and directed by the laws of this State, to-

wit: by personal examination and survey of the lands themselves, and of the records of the several land offices of the State. If any other mode can be devised by the Legislature, less expensive or more expeditious, it ought to be adopted.— If not, this course must still be pursued or the State voluntarily abandon its claim to hundreds of thousands of acres of valuable lands, worth hundred of thousands of dollars, to which it has a clear and indefeasible right.

The surveys already made, although but partially complete, according to the reports of the surveyors, on file, show the state to be entitled to six hundred thousand acres and upwards, more than it acquired from the lists of the government surveyors, and that about three hundred and twenty thousand acres of the same have been sold by the government of the United States, for which, under the act of 1855, and the rules of the department herewith transmitted to the Legislature, the State is entitled to the purchase money, or to select other lands in their stead. These surveys were not so far completed, until late last fall, as to enable the proofs to be laid before the Land Department, before the session of Congress. I left authenticated copies of these surveys with Senator Doolittle, at Washington, with the request that upon consultation with the delegation in Congress from this State, they might be pressed upon the attention of the Land Department.

While the field notes on file in the government offices were adopted by Gov. Dewey, as the *basis* of making out the lists of lands granted by the act of Congress, they were not, for several years, if they ever have been, considered conclusive by the government. In a large number of cases the evidence of which is herewith transmitted, where lands were described in the surveyors lists, as swamp lands, when in fact they were not so, but were dry, tillable lands, the United States authorized an examination to be made as to the facts, upon evidence presented, of which the Executive of this State was duly notified, and upon "due proof" that although returned as swamp lands, they were not so in fact; the United States sold them, and ordered the lists to be corrected.

A case arose in the Mineral Point land district, in 1854, of this character, and Gov. Barstow was notified by J. C. Squires, register, and Henry Plowman, Receiver, that Elias M. Edwards claimed a right to enter certain lands described, claiming them to be dry and susceptible of cultivation, while they were returned to the State as swamp lands, and that proof would be given, under instructions from the Commissioner of the General Land Office, both on behalf of the State, as well as on the part of the said Edwards.

On the 12th day of September, 1855, John A. Bryan, Register, and Benj. H. Moores, Receiver, of the Menasha Land District, wrote to Gov. Barstow, advising him, that under instructions from the General Land Office, the Surveyor General was then causing a re-examination of portions of what were denominated swamp and overflowed lands, in that district, under a particular application, with the view of ascertaining with precision, what were swamp and what were dry, tillable soil, within the meaning of the act of 1850, making the grant. In that case, upon the special application of Winslow and Bowen, as appears by the letter of Hon. Thos. A. Hendricks, Commissioner of the General Land Office, upon the evidence presented, that the lands were not swamp, although so returned and listed to the State. Gov. Barstow withdrew the claim of the State, and the lands were entered as dry, tillable lands, and the lists of swamp lands corrected accordingly. This has been the practice of the Land Department wherever and whenever application has been made to enter lands as dry, which had been returned as swamp, when upon evidence furnished it was ascertained that the lands were in fact dry. And, although this has been the course pursued, the Government refused to permit the State to select other lands in lieu of these upon the ground stated by the Commissioner of the Land Office, in a letter to Edward Smith, a copy of which was forwarded to Gov. Bashford, to wit: "The State will not, of course, be entitled to lands in lieu thereof, the same not being regarded as swamp lands."

A letter from the Commissioner of the Land Office, of August 26, 1857, to Gov. Bashford, concludes as follows:

"The field notes having been accepted by the State as the basis upon which they will receive the lands under the grant, must have their proper weight, but when the attention of the Surveyor General is called to lands not heretofore selected by him, he will make an *examination in connection with the evidence* in his office, and, if they properly enure to the State under the grant, they will be certified by him."

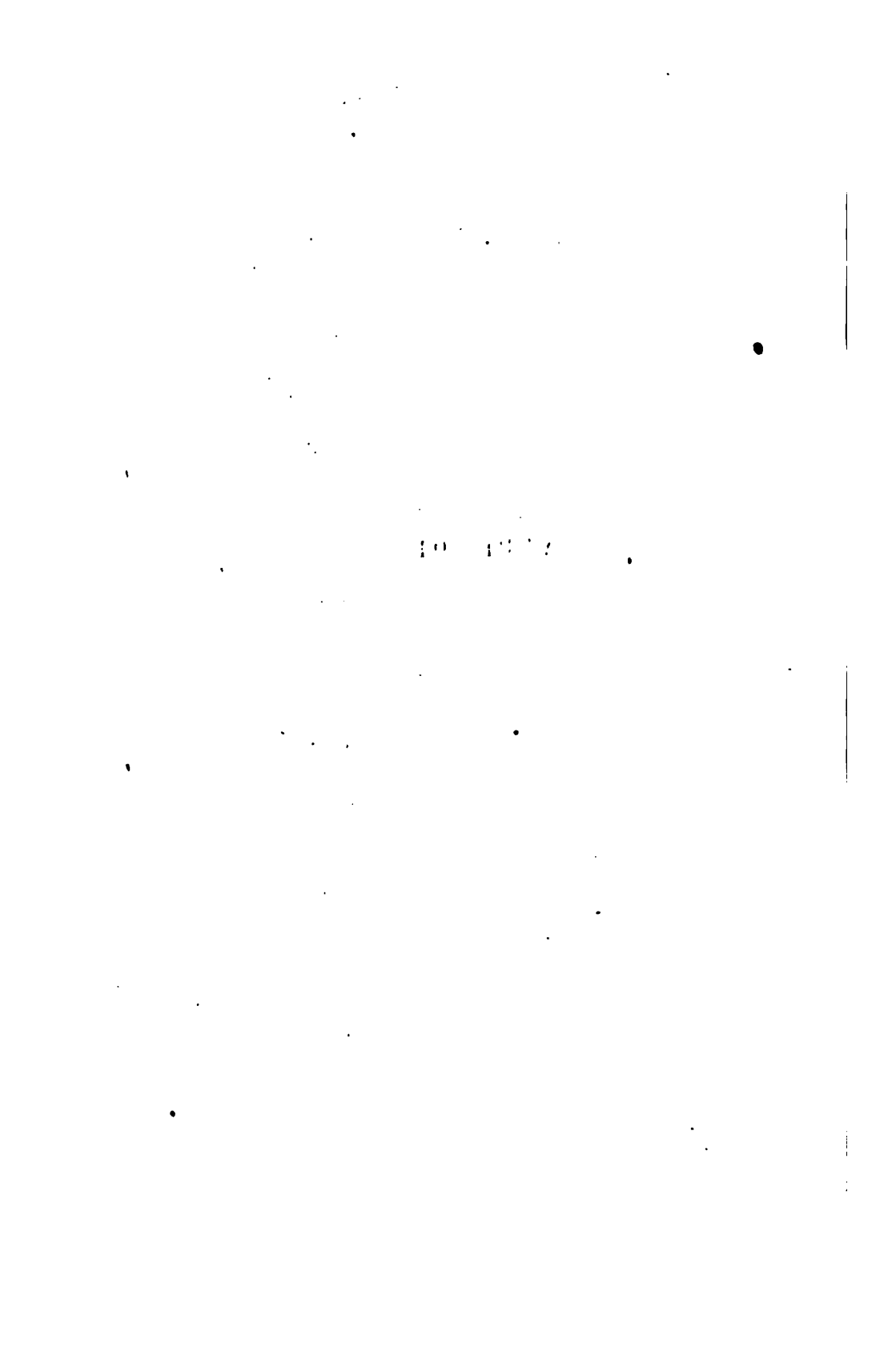
The surveys of islands and overflowed lands were prosecuted by superintending surveyors, appointed by the Surveyor General on recommendation of my predecessor. I approved the selection of surveyors. In July, 1858, these surveys were ordered to be stopped by the Commissioner of the General Land Office, and the Surveyor General requested to show by what authority they had been made. The pointed correspondence between the Surveyor General and the Commissioner of the Land Office, a synopsis of which is given, shows that it was by orders from the Land Department itself. A letter from this

office to the Commissioner of the Land Office on that subject, as well as on the subject of the swamp lands, was answered months afterwards, with the information that the Surveyor General had been instructed to authorize these surveys to proceed. On the subject of my communication in regard to the swamp lands, the Land Department, and on appeal the Secretary of the Interior, insists that as a basis of settlement, the arrangement made to adopt the surveyor's lists, will not be changed as to the past. While in regard to the correction of specific errors as they are pointed out, they are silent, and the case stands as it has been presented under the repeatedly given rules of the Department.

Until last winter, no evidence has ever been furnished to the Department, of any errors, except of suppositious errors—no proven fact upon which to claim corrections. That evidence is now furnished, and some action may reasonably be anticipated. Bills have been introduced, by Representative Washburn, into Congress, to aid the State in obtaining justice, not only in regard to the swamp lands, but in regard to the five per cent. due the State. Between fifty and sixty thousand dollars are due the State, for swamp lands sold by the Government, as admitted by the Government, and as appears on the books of the Land Office. This money is withheld, as I am informed, for the same reason that the five per cent is withheld. These claims against the Government are so just, and the refusal or neglect of the Government authorities to adjust them so unaccountable, that a resort to Congress appears to be necessary. If no embarrassments are thrown in the way, from home, the justness of our claims must be conceded, and promptly answered. Of the monies expended in these surveys, about fifteen thousand dollars have been drawn from the general fund. This money is to be reimbursed out of the swamp land fund as is provided by law. I deem it a better policy, in work of this kind to employ fifty men one year, than ten men five years. I regret that, when money could be expended so profitably to the State as this will result to have been, that for want of money in the treasury, these surveys have been so restricted. If the means had been within reach, I would have caused double the work to have been done, if necessary, at double the expense. About two hundred and twenty thousand acres of swamp lands have been listed to the State by the Government during the present winter, which will be patented to the State, and which will be subject to sale during the coming summer.

ALEX. W. RANDALL.

APPENDIX.



EXECUTIVE OFFICE,
MADISON, WIS., Feb. 21, 1860.

To the Hon. the Assembly:

I herewith transmit, in obedience to the resolution of the Assembly, copies of the correspondence on the subject of swamp lands, &c., with report of surveyors, &c. I also transmit to the Legislature a communication on the same subject.

ALEXANDER W. RANDALL.

LIST OF PAPERS

Relative to Swamp and Overflowed Lands, communicated to the Legislature, February 28th, 1860.

- 1, 2, 3. Laws of Congress on the subject of the Swamp Land Grant.
4. Letter of instructions to Surveyor General.
5. Letter of Gov. Dewey, November, 1851, making choice of field notes as a basis for selection.
6. Act of Legislature of 1852, authorizing a special examination and survey of the lands..
7. Letter of Gov. Farwell, to Secretary of the Interior.
8. Letter of United States Land Officers at Mineral Point, citing the State to appear in a case where a party claimed certain lands as *not* swamp, which had been patented as such.
9. Letter from United States Land Officers at Menasha, stating that a re-examination and survey was going on, by authority of the General Land Office, to ascertain what were really swamp lands.
10. Letter of Commissioner of General Land Office to Gov. Barstow, in a case where, on proof that certain land was *not* swamp, the title to the State was released.
11. Letter of Gov. Bashford to General Land Office, relative to depredations on islands in the Mississippi and Wisconsin rivers.
12. Reply of Commissioner of General Land Office to the above.
13. Letter of Hon. J. T. Kingston to Gov. Bashford, calling attention to the fact that a large quantity of lands in Adams and Juneau counties, though swamp and overflowed, had not been patented to the State. (A re-examination in this case secured some 40,000 acres to the State.)
14. Letter of Gov. Bashford to the Surveyor General, enclosing letter of Mr. Kingston.
15. Extract from circular letter of General Land Office to the District Offices, in relation to claims to Swamp Lands.
16. Extract from letter of Commissioner of General Land Office to Edward Smith, in which the Commissioner holds that, even in cases where the State should give up lands

- alleged and proved *not* to be swamp, no lands would be given the State in lieu thereof.
17. Letter from Surveyor General to Gov. Bashford, relative to survey of Islands.
 18. Letter of Commissioner of General Land Office to Surveyor General.
 19. Letter of Gov. Bashford to Commissioner of General Land Office.
 20. Letter of General Land Office to Gov. Bashford. This letter admits a re-examination in the Menasha district, where the United States field notes did not clearly establish the character of the lands, and agrees to a survey of the islands where localities are pointed out, and to an examination into cases of lands claimed by the State.
 21. Letter of Gov. Randall to the Surveyor General asking whether anything had been done in the case of lands referred to by Hon. J. T. Kingston.
 22. Reply of Surveyor General.
 23. Letter of Surveyor General to Gov. Randall, stating that he has instructions to stop the survey of the islands.
 24. Letter of W. H. Watson, Private Secretary, to Surveyor General.
 25. Letter of Surveyor General to Gov. Randall in reply, and enclosing letter of Gov. Bashford.
 26. Copies of an abstract of correspondence, obtained from Dubuque, between the Surveyor General and the General Land Office, relative to the survey of the islands.
 27. Letter of Gov. Randall to Commissioner of General Land Office, in relation to surveys of islands and the swamp lands generally. (This letter was left at Washington by Gov. R. on the occasion of his visit to Washington in 1859.)
 28. Letter of Commissioner of General Land Office, stating that surveys of islands can proceed, with copy of letter to Surveyor General.
 29. Letter of Secretary of the Interior to Commissioner of General Land Office.
 30. Copy of opinion of United States Attorney General in the Arkansas case.
 31. Report of John B. Whitelaw, of his operations as Surveyor of Swamp Lands.

APPENDIX.

1.

(Copy.)

An Act to enable the State of Arkansas and other States to reclaim the "Swamp Lands" within their limits.

Sec 1. *Be it enacted, &c.*, That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overbowed lands, made unfit thereby for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby granted to said State.

Sec. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State of Arkansas, and at the request of said Governor, cause a patent to be issued to the State therefor; and *on that patent*, the fee simple to said lands shall vest in the said State of Arkansas, subject to the disposal of the Legislature thereof; *Provided, however*, That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

Sec. 3. *And be it further enacted*, That in making out a list and plats of the lands aforesaid, all legal subdivisions, the greater part of which is "wet and unfit for cultivation," shall be included in said lists and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

Sec. 4. *And be it further enacted*, That the provisions of this act be extended, and their benefits be conferred upon, each

of the other States of the Union in which such swamp and overflowed lands, known and designated as aforesaid, may be situated.

Approved, September 28, 1850.

2.

An Act for the relief of Purchasers and Locators of Swamp and Overflowed Lands.

Be it enacted, &c., That the President of the United States cause patents to be issued, as soon as practicable, to the purchaser or purchasers, locator or locators, who have made entries of the public lands, claimed as swamp lands, either with cash or with land warrants, or with scrip, prior to the issue of patents to the State or States, as provided for by the 2d section of the act approved Sept. 28, 1850, entitled "An act to enable the State of Arkansas, and other States, to reclaim the swamp lands within their limits," any decision of the Secretary of the Interior, or other officer of the government of the United States, to the contrary notwithstanding: *Provided*, That in all cases where any State, through its constituted authorities, may have sold or disposed of any tract or tracts of said land to any individual or individuals prior to the entry, sale or location of the same, under the pre-emption or other laws of the United States, no patent shall be issued by the President for such tract or tracts of land, until such State, through its constituted authorities, shall release its claim thereto, in such form as shall be prescribed by the Secretary of the Interior: *And provided further*, That if such State shall not, within ninety days from the passage of this act, through its constituted authorities, return to the General Land Office of the United States, a list of all the lands sold as aforesaid, together with the dates of such sale and the names of the purchasers, the patents shall be issued immediately thereafter, as directed in the foregoing section.

Sec. 2. *And be it further enacted*, That upon due proof by the authorized agent of the State or States, before the Commissioner of the General Land Office, that any of the lands purchased were swamp lands, within the true intent and meaning of the act aforesaid, the purchase money shall be paid over to the said State or States; and where the lands have been located by warrant or scrip, the said State or States shall be authorized to locate a quantity of like amount, upon any of

the public lands subject to entry, at one dollar and a quarter per acre, or less, and patents shall issue therefor, upon the terms and conditions enumerated in the act aforesaid. *Provided, however,* That the said decisions of the General Land Office, shall be approved by the Secretary of the Interior.

Approved, March 2, 1855.

3.

An Act to confirm to the several States, the Swamp and Overflowed Lands selected under the Acts of Sept. 28, 1850, and 2d March, 1849.

Be it enacted, &c., That the selections of swamp and overflowed lands granted to the several States by act of Congress, approved Sept. 28, 1850, entitled "An act to enable the State of Arkansas and other States, to reclaim the swamp and overflowed lands within their limits;" and the act of Congress of 2d of March, 1849, entitled "an act to aid the State of Louisiana in draining swamp lands therein," heretofore made and reported to the Commissioner of the General Land Office, so far as the same shall remain vacant and unappropriated, and not interfered with by an actual settlement under any existing law of the United States, shall be, and the same are hereby confirmed, and shall be approved and patented to the several States, in conformity with the provisions of the acts aforesaid, or as soon as may be practicable after the passage of this law. *Provided,* that nothing in this act contained shall interfere with the provisions of the act of Congress, entitled "an act for the relief of purchasers of swamp and overflowed lands," approved March 2d, 1855, which shall be and is hereby continued in force, and extended to all entries and locations of land, claimed as swamp lands, made since its passage.

Approved, March 3, 1857.

4.

Copy of Letter of Instructions from General Land Office to the Surveyor General:

GENERAL LAND OFFICE, }
November 21st, 1850. }

*Sir:—*By the act of Congress, entitled "an act to enable the State of Arkansas and other States to reclaim the swamp lands

within their limits," approved Sept. 28, 1850, it is directed "that, to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swams and overflowed lands, made thereby unfit for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby granted to said State.

1st. By the fourth section of this act, it is directed that the provision of it shall be extended to, and their benefits be conferred upon each of the other States of the Union, in which such swamp and overflowed lands may be situated.

2d. And "that in making out a list and plats of the lands aforesaid, all legal subdivisions, the greater part of which is wet and unfit for cultivation shall be included in said list of plats, but when a greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom."

This act clearly and unequivocally grants to the several States those lands which from being swampy or subject to overflow, are unfit for cultivation. In this class is included all lands which, though dry part of the year, are subject to inundation at the planting, growing, or harvesting season, so as to destroy the crops, and therefore are unfit for cultivation, taking the average of the seasons, for a reasonable number of years, as the rule of determination.

You will please make out a bill of all the lands thus granted to the State, designating those which have been sold or otherwise disposed of since the passage of the law, and the price paid for them when purchased. The only reliable data in your possession from which these lists can be made out are the field notes of the surveyors on file in your office, and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, you will so report them.

(The commissioner proceeds to give directions in regard to the details of survey, and closes, with instructions as to the form of report to his office, and the entry to be made in the land offices of lands granted to the State.)

[Signed.]

J. BUTTERFIELD, *Com'r.*

To C. H. BOOTHE, *Sur. Gen., Dubuque, Iowa.*

5.

Letter from Gov. Dewey, accepting the field notes as the basis of selection of Lands.

STATE OF WISCONSIN,
EXECUTIVE DEPARTMENT,
LANCASTER, June 3d, 1851.

To the Surveyor General of Wisconsin and Iowa, Dubuque, Iowa:

By the instructions emanating from the Commissioners of the General Land Office under date of November 20th, 1850, it appears that you are directed to select the swamp and overflowed lands, granted to this State by the act of Congress, of September 28th, 1850, and that the data upon which you are to make these selections are the field notes of the surveys on file in your office, if the State authorities are willing to adopt them as the basis of those lists; if not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, that you will so report them. As the decision of your office under these instructions is that the State authorities must adopt one or the other of these two basis, as furnishing the data upon which the lands granted by the act referred to, are to be selected, and cannot rely upon both combined, I have to advise you that this State is willing to adopt the field notes of the surveys on file in your office, as the basis of making out the lists of lands granted by the act of Congress named. This determination is the result of mature deliberation, and dictated by true economy on the part of this State. By the second section of the act of Congress making this grant, it is provided that it shall be the duty of the Secretary of the Interior, as soon as practicable after the passage of this act, to make out an accurate list and plats of the lands described as aforesaid, &c. I wish to call your attention to this section of this act, as it directs the government officer to make out plats of these lands, as well as descriptive lists, and it appears to me to be the duty of the General Government, by express terms of its grant, to furnish those plats at its own expense, which I engaged with you to have done in your office at the expense of this State. By the law itself the furnishing of these plats appears to constitute a part of the requisites necessary to make the grant complete. It is necessary for this State to have certified copies of all the townships in the State, and I wish them to be furnished by you at

the price agreed upon between us, to-wit: \$1,75 each, at the expense of this State, if they cannot be furnished at the expense of the general government.

Respectfully, Yours,

NELSON DEWEY.

6.

(Chapter 494, Laws of Wisconsin, 1852.)

An Act relating to the survey of swamp and overflowed lands.

The people of the State of Wisconsin, &c.,

SEC. 1. The Governor of the State is hereby authorized and empowered and required to employ such number of skillful and practical surveyors as he may deem necessary to make an actual and personal survey and report of all overflowed lands granted to this State by act of Congress of the United States, approved Sept. 28th, 1850; *Provided*, The expense of such survey shall be reimbursed to the treasury out of first sales of such lands.

SEC. 2. The Governor shall cause to be furnished to such surveyors, such copies of the original minutes of surveys made under authority of the United States, as may be necessary, and the said surveyors shall survey and run such lines only as may be necessary to enable them definitely and truly to ascertain the designation of each section and part of section of such overflowed land.

SEC. 3. The Governor is also authorized and required to take all necessary measures to ascertain the amount of swamp and overflowed lands granted to this State by the act aforesaid, which may have already been, or hereafter may be disposed of by the United States, since the passage of said act, and to draw and receive from the treasury of the United States, all such sums of money as may be justly due from the United States on account of the disposal of any of such lands, and pay the money so received into the treasury of this State.

SEC. 4. It shall be the duty of the Governor to ascertain and select all the swamp and overflowed lands granted to this State by act aforesaid, already surveyed, and not heretofore selected and approved by the authorities of the United States, or as may be hereafter surveyed from time to time, and cause entries thereof to be made in the name of the State of Wisconsin, at the proper land office of the United States, and to procure suitable books for the same, and to cause to be recorded

therein descriptive lists of all the subdivisions of said lands, to procure copies of all such township plats of the United States survey of land in this State as he may deem necessary for the use of the State in carrying into effect all the provisions of this act.

SEC. 5. It shall be the duty of the Governor to cause to be marked on such townships plats, on a sectional map of the State, which he is authorized to procure for that purpose, all the lands belonging to this State by virtue of said grants.

SEC. 6. There is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of three thousand dollars, to be drawn from the treasury on the warrant of the Governor, as may be necessary to defray the expenses of carrying into effect the provisions and purposes of this act; *Provided*, The expenses of such survey and expenses shall be re-imbursed to the treasury out of the first sales of such lands.

Approved April 19th, 1852.

LEONARD J. FARWELL.

7.

Letter of Governor Farwell to the Secretary of the Interior.

STATE OF WISCONSIN,

EXECUTIVE DEPARTMENT,

Madison, Oct. 1st, 1852.

To the Hon. the Secretary of the Interior, Washington, D. C.:

SIR: I have considered it my duty to call your attention to the act of Congress approved September 28th, 1850, entitled an act to enable the State of Arkansas and other States, to reclaim the swamp lands within their limits.

It will be seen that, by the first section of said act, the hole of these swamp and overflowed lands, made unfit therefor for cultivation, which shall remain unsold at the passage of said act, were granted to the States in which they were situated. It seems by a proclamation by the President, under date

August 10th, 1852, a sale of government lands lying in this State is to take place on the 15th day of November, and that the exemption from said sale of the swamp and overflowed lands with those "appropriated for the use of schools, military and other purposes," is made conditional upon their selection by the State authorities previous to the day of sale.

No adequate provision has as yet been made by this State

for the selection of these lands, and therefore such selection cannot be made previous to the time of such government sale.

Nor do I deem it necessary that such selection should be made to protect them from sale by the general government. This State will insist that the grant of these lands to Wisconsin was made complete by, and took effect from, the passage of the act above cited. Upon the plats of government surveys made previous to September 28th, 1850, the swamp lands are marked, and since that time the overflowed lands also, and therefore known to the department.

Section 2, of said act, makes it the duty of the Secretary of the Interior, as soon as practicable after the passage of the act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State in which they are situated; and, at the request of said Governor, cause a patent to be issued to the State therefor. This has not yet been done by the Secretary of the Interior, so far as this State is concerned.

I have therefore to request that you will, as soon as convenient, "make out and transmit" to the Governor of this State said list and plats, that we may proceed to obtain a patent for said lands, according to the provisions of said act.

I also respectfully request that you will call the attention of his Excellency the President to this subject as early as convenient, that there may be no seeming conflict of claims to those lands between this State and the general government.

Most respectfully,

Your obedient servant,

LEONARD. J. FARWELL.

8.

Letter of Register and Receiver of Mineral Point Land Office, citing the State to appear and claim by a party to certain lands granted to the State as Swamp Lands.

LAND OFFICE, MINERAL POINT, Wis.,
Sept. 13, 1854.

WILLIAM A. BARSTOW, *Governor of Wisconsin:*

SIR:—Elias H. Edwards has applied at this office to enter the east half, south-west quarter and west half of south-east quarter of section 33, town 9, north, range 6 east, and filed notice in writing, that he desires to contest the right of the State of Wisconsin to said tract of land, acquired under the provis-

ions of the act of Congress, approved September 28, 1850, with the request that the proper State authorities might be notified, and that a time and place be appointed, when and where he might be allowed to offer testimony in support of his allegation that said tract of land is high and dry, and fit for cultivation, without artificial draining or embankment.

We have been instructed by the commissioner of the general land office, by his letter of the 23d September, 1853, that when application is made to enter any tract of land selected as swamp or overflowed, and the person desiring to make the entry is willing to contest the right of the State to such land, we shall permit such person to offer testimony, after having given at least thirty days notice of the time and place of the investigation to the proper authorities.

You will therefore please to take notice, that on the 16th day of October, next ensuing, at the land office in Mineral Point, Wisconsin, we will be prepared to hear such testimony as either or both parties may wish to offer, relating to the character and quality of such tract of land.

We are also instructed by the commissioner, in case of the failure of the State authorities to appear on the day appointed, to permit no entry to be made of such lands without having instructions from his office.

Very Respectfully,

Your Ob't. Servants,

J. C. SQUIRES, *Register.*

HENRY PLOWMAN, *Receiver.*

9.

Letter from Menasha Land Office, stating that a re-examination of lands in that district was going on under authority of Government.

LAND OFFICE, MENASHA, Wis.,
12th Sept., 1855.

His Excellency, WM, A. BARSTOW :

DEAR SIR:—As the Executive of the State of Wisconsin, we have respectfully to advise you that the surveyor general at Dubuque, Iowa, as we have been informed, under and by virtue of a recent letter from the General Land Office, is now causing a re-examination of portions of what are denominated swamp or overflowed lands, in this district, under a particular

application, with a view of ascertaining with precision, what are *swamp*, and what are dry, tillable soil, within the meaning of the act of 1850, making the grant.

Very truly, sir,

Your most obedient serv'ts.,

JOHN A. RYAN, *Register*.

BENJ. H. MOOERS, *Receiver*.

10.

Letter of Commissioner of General Land Office, in a case where several tracts of land was released by the State, on proof that it was not swamp land, though patented as such.

GENERAL LAND OFFICE, }
December 8, 1855. }

His Excellency Wm. A. BARSTOW, *Gov. of Wisconsin*:

SIR: On the 22d ult., the Honorable Secretary of the Interior referred to this office a letter from Robert F. Winslow, Esq., of Fond du Lac, Wis., enclosing certain papers relative to several tracts of land in the Menasha district. The papers disclose the following state of facts:

Messrs. Winslow and Bowen made application to enter certain lands in sections 14, 15, and 23, township 27 N, of range 26 east, but said application was refused by the Register at Menasha, on the ground that said lands having been selected as swamp, were not subject to private entry, whereupon the applicants presented to you evidence that the same were not lands of the character intended to be granted by the law of 28th Sept., 1850. On this evidence you have, by letter of November 13th, 1855, embraced in the reference, withdrawn the claim of the State, under said law, to the particular lands, and therein certify that you "will not interpose any objections to the sale thereof by the proper officers of the United States."

Upon this showing, the Secretary of the Interior, on my recommendation to that effect, has revoked his approval heretofore made, and in accordance with his request, I have the honor to acquaint you with the fact. I enclose herewith a copy of a list of lands, together with such revocation endorsed thereon. The original list on file in this office has been corrected, and you will please to cause the necessary corrections to be made on the copy thereof heretofore transmitted to you.

With great respect,

Your obedient servant,

THO'S. A. HENDRICKS, *Com'r*.

11.

Letter of Gov. Bashford to General Land Office, relative to islands in the Mississippi and Wisconsin Rivers.

EXECUTIVE DEPARTMENT,
January 27, 1857.

HON. THOMAS A. HENDRICK,

Com's General Land Office, Washington, D. C.:

SIR: Frequent complaints have been made to this department that trespasses are being committed on the islands lying in the Mississippi and Wisconsin rivers, together with other lands on the banks of said rivers, and lying in this State.—These lands are unsurveyed and are represented as being annually overflowed, and will consequently inure to this State under the provisions of the act of Congress, of September 28th, 1850. The title of these lands remains in the United States until they are selected, although the equitable title is in this State undoubtedly.

I make this communication for the purpose of procuring the desired information, that the duty of the State in the premises may be fully understood.

Respectfully yours,

COLES BASHFORD.

12.

Reply of Commissioner of General Land Office to the above.

GENERAL LAND OFFICE,
February 11, 1857.

SIR: In answer to your inquiry of the 27th ult., touching depredations being committed on certain islands subject to overflow, in the rivers Mississippi and Wisconsin, I have the honor to state, that from the omission to give their precise localities or designate the land district in which they lie, (the land officers having charge of this business) it is impossible for this office to do ought in this matter. I would, however, inform you, that trespasses by cutting, or removing timber cut on public land, are offenders under the act entitled "an act for the punishment of offences committed in cutting and destroying or removing live oak or other timber, &c.," approved 2d March, 1831.

Any one, therefore, under this act, can by statement under oath, cause the arrest of the offender, and hold him to bail for appearance at court. As these islands, as you allege, will inure, under the swamp act of 1850, to the benefit of the State of Wisconsin, there would appear to be no difficulty as to the course of duty under the law cited, should the depredations be as you state, and proof at hand to establish them. Yet it is to be borne in mind, that no proprietorship can lawfully be exercised over any tract, supposed to be swamp, until after it shall have been legally ascertained to be such, and the title of the United States shall have passed by patent.

Very Respectfully,

Your Ob't. Servant,

THOS. A. HENDRICKS.

His Excell. COLES BASHFORD, Gov. of Wisconsin.

13.

Letter of Hon. J. T. Kingston to Gov. Bashford, calling attention to the fact that a large quantity of lands, although "swamp" lands, had not been patented to the State.

SENATE CHAMBER,
MADISON, Feb. 4th, 1857.

To His Excellency Coles Bashford:

Sir:—Permit me to call your attention to the fact that from gross carelessness or some other cause, on the part of the Government District Surveyor, great injustice has been done our State in the selection of the "swamp and overflowed lands," under the act of Congress of September 28, '50. I refer particularly to the northern part of the district which I represent. Towns 18 and 19, Range 3, east, are almost wholly "swamp lands," and not one acre was returned by the surveyors as such. Also the bottom lands bordering on the Wisconsin and Yellow Rivers, averaging from one-half mile to a mile in width, in towns 17, 18, 19 and 20, range 4, east, and town 20, range 5, east, are, with the exception of three or four sections, returned as government lands. I am fully of the opinion that there are embraced within the towns mentioned above, at least 50,000 acres which properly belong to this State, under the act referred to. Under these circumstances I have deemed it my duty to call your attention to these facts, hoping that, upon a representation being made by your Excellency to the proper department, the error or neglect of the surveyors may be rectified.

I have the honor to be, your ob't servant,

J. T. KINGSTON.

14.

Letter of Gov. Bashford to the Surveyor General, enclosing the above.

EXECUTIVE DEPARTMENT,
MADISON, Feb. 11, 1857.

Surveyor General of Iowa and Wisconsin:

Dear Sir:—I enclose you herewith a copy of the communication of J. T. Kingston, Senator from the 9th Senatorial District of this State, comprising the counties of Adams and Juneau and Sauk, in regard to our Swamp Lands. It appears from his letter that great injustice has been done the State by the surveyors, in not marking certain lands, described by him, as swamp and overflowed, which were really such, and which ought to have been described and returned as swamp and overflowed lands; in consequence of which omission on the part of the surveyors, the State will be unable to obtain said lands under the act of Congress of Sept. 28, 1850.

As our only redress seems to be in having a new survey of these lands, and the facts ascertained, I have felt it to be my duty to call your attention to the subject, that full and ample justice might be done to all parties interested in the matter.

Yours truly, COLES BASHFORD.

15.

Extract from Circular letter of General Land Office, to the District Offices, accompanying copies of law of 1857, given above (3.)

“In order that you may be advised of our views, and prepared to report all necessary information to parties seeking it at your office, I would say that the lands sold or appropriated by the United States, or upon which actual settlements have been made under existing laws, prior to the passage of this act, are not thereby confirmed, although selected as swamp. The purchasers or locators will receive patents, and the State, upon making proof that the lands sold or located were in fact swamp or overflowed, will receive the purchase money paid therefor, or other lands, as provided by the second section of the act of 2d March, 1855.

Parties who have made settlements with a view of pre-emption entries, are protected in their settlements, and upon com-

pliance with the pre-emption laws, and proof that the lands were not swamp or overflowed within the meaning of the grant, will be allowed to enter and receive patents. But if the lands so settled upon were in fact swamp or overflowed lands, further action on the part of Congress will be required before a title can be made to the claimant. Settlers on lands of this class, will be required to file with you forthwith, notice of their claims; designating the particular lands embraced thereby, and the law under which the right is claimed to exist, which notice you will transmit to this office; the tracts therein described will be withheld from lists and patents, until the validity of the claims can be determined. * * *

[Signed.]

THOS. A. HENDRICKS, Com'r.

16.

Extract of letter from Commissioner of General Land Office to Edward Smith, Neenah, a copy of which was forwarded to Gov. Bashford. Mr. Smith wrote relative to a tract in the same locality as those referred to in the paper above marked "10." The Commissioner, after answering his enquiries, under date of March 18th, 1857.

"So far as concerns the several tracts embraced in the withdrawal of the State's claim made by the Governor as aforesaid, the State will not, of course, be entitled to lands in lieu thereof, the same not being regarded as swamp lands."

17.

Letter from Surveyor General to Gov. Bashford.

SURVEYOR GENERAL'S OFFICE,
DUBUQUE, May 7, 1857.

SIR:—Mr. Whitelaw called upon me to-day with your letter of the 30th inst., for the purpose of getting information preparatory to his surveying and selecting swamp and overflowed lands belonging to the State of Wisconsin.

I presume the most of the islands in the Mississippi river belonging to the Wisconsin shore have been surveyed, yet there may be others not surveyed, that may be of value to the State, but it would be almost impossible to survey them at this season of the year. I would advise Mr. Whitelaw to select now such as have been surveyed, and report them, and I will appoint

him, or any other surveyor you may select to survey the remainder in the fall, or when the river is low enough to allow the work to be done. The best time, however, is when the river is frozen over. It will afford me pleasure to facilitate your purposes as far as my official duties will permit.

Very respectfully,

Your obedient servant,

WARNER LEWIS,

Surveyor General.

His Excellency, COLES BASHFORD,
Governor of Wisconsin.

18.

Letter of Gov. Bashford to Commissioner of General Land Office.

EXECUTIVE DEPARTMENT,
MADISON, July 13, '57.

Hon. THOS. A. HENDRICKS,

Commissioner of General Land Office.

SIR:—I desire to direct your attention to some facts in relation to the grant of swamp and overflowed lands to this State, under the act of Congress of September 28th, 1850.

You will see by an official letter of Gov. Nelson Dewey, dated June 8d, 1851, addressed to the Surveyor General, a copy of which is herewith submitted, that he, acting under instructions from the General Land Office, under date of November 21st, 1850, accepted, on behalf of this State, one of the two propositions, offered to the state as a basis of the settlement of the Swamp Land Grant, and chose, as appears by this letter, to receive such lands as are marked as swamp upon the Government plats and field notes, instead of selecting by an actual examination and re-survey of the State for this purpose, which was the other method proposed by the Commissioner in his circular of Nov. 21, 1850.

This plan having been adopted, and assented to by both parties, would seem to have determined the rights affected thereby. But it appears, from a letter from the Register and Receiver of the Menasha Land District, dated September 12, 1855, addressed to my predecessor in office, Gov. Barstow, a copy of which is herewith transmitted, that the General Government has not adhered to this plan of adjusting the grant in question, but that the Surveyor General, acting under instructions from the Commissioners, caused a re-survey of the Menasha Land

District, with a view of ascertaining which were actually swamp lands, and that during the time this survey was progressing, the Register of the Menasha Land Office allowed large quantities of land, designated swamp upon the plats, and which clearly belonged to the State under the arrangement made, to be entered, requiring proof simply that the land applied for was in reality *not* swamp land, and no evidence was ever furnished this Department, as requested by Gov. Barstow in his reply, a copy of which is herewith submitted.

It must be obvious to the Department, that for all the lands thus entered, the State is entitled to select a like quantity, otherwise the arrangement is entirely set at naught by the acts of the officers of the General Government.

It is undoubtedly true that the plats and field notes are in many cases incorrect in describing and locating definitely the boundaries of swamp and overflowed lands in accurate and exact government subdivisions; and it would be impossible to suppose, with this mode of settling the matter, that the State should not acquire a considerable quantity of land in fractions of subdivisions, which is really not swamp, and lose, probably, an equal amount of that which really is swamp and overflowed within the meaning of the act of Congress making the grant. It is probable, also, that in some instances the State has been the gainer by this mode of settlement, and in others the loser, and it would be manifest injustice for the general government to discriminate in this matter to the injury of the rights of the State. Many complaints have been made to me from portions of the State where large quantities of lands are located, stating that these lands, though actually swamp, were not returned as such, and consequently the State acquired no title to them. On this subject I transmit to you a copy of a letter from Hon. J. T. Kingston, which would indicate that, in the locality designated by him, great injustice has been done the State, and that large tracts of land, really swamp, have not been marked as such by the surveyors.

In such cases as that, the State should have redress, as the manifest intention of Congress, in making the grant, was to grant *all* of the unsold swamp lands to the States, for the purpose of reclamation. And I am informed by the Surveyor General, that the surveys made and returned prior to the act of September, 1850, did not designate, with any distinctness, the swamp and overflowed lands; therefore, in the portions of the State surveyed prior to that time, the State has received little or no land, and it is probably owing to this reason that so many complaints have been made by citizens in regard to this subject.

It would seem but just, where no means were furnished by the general government for carrying out the arrangement, that the State should have the right to make those selections, and become possessed of all the unsold swamp lands at the date of making the grant, or an equal quantity where any of it has been sold by the general government subsequent to the passage of the act of September 28, 1850.

In this connection, I desire also to call your attention to an act of the Legislature of this State authorizing the Governor to appoint some suitable person or persons to survey the islands of the Wisconsin and Mississippi rivers, with a view of perfecting the title of the State to them as part of the grant of Sept. 28, 1850. These islands doubtless become, under the provisions of that act, the property of the State, but as there are many of them unsurveyed, there is no means of disposing of them, and therefore the State has provided for the survey; and I have appointed for this purpose John B. Whitelaw and William H. Brisbane. The Surveyor General informs me that the Commissioner of the General Land Office will doubtless authorize him to appoint these persons, so that their returns may be made to him, and become a part of the records in his department.

This appears to me to be the proper course to pursue, and I see no objection to it; as the State is willing to defray the expense of the survey. Will you inform me if this meets with your approbation.

I have submitted to you in this communication, a brief history, as far as I am advised, of the action of the State in relation to the grant in question; and, feeling confident that we have not acquired the quantity of land we are entitled to under this grant, and believing also that there is no design on the part of the general government to deal otherwise than liberally with the States in adjusting grants of this kind, I hope and trust that a fair and liberal policy may be adopted and pursued in finally settling and adjusting this matter.

I am respectfully yours.

COLES BASHFORD.

19.

Letter of Commissioner of General Land Office to Surveyor General.

GENERAL LAND OFFICE,
August 5, 1857.

WARNER LEWIS, ESQ.,

Surveyor General, Dubuque, Iowa.

SIR:—I am in receipt of a letter dated July 13th, 1857, from his Excellency the Governor of Wisconsin, calling attention to the swamp grant of the 28th September, 1850, and accompanied with communications designed to show that the selections of swamp lands in the Menasha district were imperfect. In order to a more correct understanding of this matter, I would call your attention to a letter addressed to you by my predecessor, on the 6th September, 1853, transmitting to you "eighteen documents, purporting to be lists of swamp land selections, under the act of 28th September, 1850, for the State of Wisconsin," and requesting you to "examine these lists with the tract books, township plats, and whatever other evidence may exist in your office," and "should you find all the tracts embraced in said lists to be such as come within the meaning of the swamp land act, you will cause the same to be transcribed, arranged into separate lists," &c. By an examination of the correspondence with you, subsequent to the time of the transmission of these lists, I am unable to find any letter definitely settling this business, and therefore would request you to examine lists in the Menasha districts, certified by you on the 18th April, 1854, with the lists returned to you as stated above, with a view of ascertaining whether all the lands within that district were embraced in your list; if not, that you furnish a list of the remaining lands, with your reasons fully stated why the same were not certified by you at the same time. I would also request that a similar examination be made in all the districts of the State.

This being a matter of great importance to the proper adjustment of the grant, you are requested to give immediate attention to it by a thorough and careful examination.

Very respectfully,

• Your obedient servant,

JAS. S. WILSON,
Acting Commissioner.

Letter of General Land Office to Governor Bashford.

GENERAL LAND OFFICE,
August 26, 1857.

*His Excellency COLES BASHFORD, Gov. of Wisconsin,
Madison, Wisconsin:*

SIR: I have the honor to acknowledge, of Wm. W. Brown, by you authorized to represent the interests of the State of Wisconsin, your communication relating to the swamp and overflowed lands granted by the act of September 28th, 1850, and in reply thereto have to state, that by a careful examination of all the correspondence with the Surveyor General, of the district of Wisconsin and Iowa upon this subject, I am fully satisfied that every effort has been made, so far as this office is concerned, to adjust the business upon the basis adopted by the State authorities.

To avoid any misapprehension and clearly exhibit to you the condition of the same, I will here say, that several lists of swamp sections made by George R. Sargent, Surveyor General, were reported to this office in 1851, and when they were reached in the order of business, it appeared that they were defective in certification and other material respects, and were forwarded on the 6th day of September, 1853, to Warner Lewis, Esq., now Surveyor General, for examination and correction in form. After such examination, corrected lists properly stated by districts, and duly certified, were received here, and from them the State was furnished with lists showing all the lands remaining vacant, with the exception of certain tracts necessarily suspended for further action, and the greater portion of the same has since been patented to the State.

This office having no means of ascertaining whether all the lands as originally reported, were entered in those subsequent lists. I have deemed it proper to call the attention of the Surveyor General to the necessity of a re-examination with a view of ascertaining whether all the lands so originally reported were embraced in his report, and that should omissions appear, he prepare a list of such tracts with his full reasons for not having reported them in his previous list. This was especially designed to refer to the Menasha district, but will be continued to all the districts of the State. I enclose herewith a copy of the letter addressed as aforesaid, to the Surveyor General.

I have failed to observe as before stated, that the arrangement entered into with the former Executive of the State. Mr.

Letter from the Surveyor General, at Dubuque.

SURVEYOR GENERAL'S OFFICE,
Dubuque, April 28, 1858.

To His Excellency ALEX. W. RANDALL,
Madison, Wisconsin:

SIR:—I have the honor to acknowledge the receipt of your letter of the 24th ultimo, in reference to certain Swamp Lands in the State of Wisconsin. I have carefully examined the original lists on file in this office, and find that in town 18, range 3 east, 17,229 9-100 acres have been selected as "Swamp Lands." In town 19, range 3 east, 16,741 49-100 acres—in town 18, range 4 east, 610 60-100 acres—in town 19, range 4 east, 1,120—in town 20, range 5 east, 5,369 72-100 acres have been selected. There is a continuation of selections in the Stevens' Point Land District, marked D., completed and sent off on the 21st November, 1857, which you may possibly not have seen yet.

I have not received any communication from the General Land Office, on this subject, however, neither have I from your office, but will be happy at any time to hear from you in regard to it, and will do all in my power to satisfy you on any point pertaining thereto.

I am, sir, very respectfully,
Your ob't. servant,
WARNER LEWIS, *Surv. Gen.*

Letter of Surveyor General, July 20th, 1858, stating that the survey of the islands must be suspended.

SURVEYOR GENERAL'S OFFICE, {
DUBUQUE, July 20th, 1858. }

To His Excellency, ALEX. W. RANDALL,
Governor of the State of Wisconsin, Madison:

SIR: At the request of your predecessor, by letter of Jan. 1, 1857, (should perhaps be 1858, as it was then delivered) I appointed Mr. J. B. Whitelaw and W. H. Brisbane to make the survey of islands in the Wisconsin and Mississippi rivers.

The Commissioner of the General Land Office denies any authority, on the part of this office to have these surveys made,

and requires that they shall at once cease. I therefore respectfully request you to notify them that further work will not be received by me without his special orders.

I will feel under many obligations, if you will forward me copies of the letters from the said Commissioner of the General Land Office to Gov. Bashford, referred to in his said letter, to me, of January.

I am sir, very respectfully,

Your obedient servant,

WARNER LEWIS, *Sur. Gen.*

24.

EXECUTIVE OFFICE, }
Madison, July 23d, 1858. }

Hon. WARNER LEWIS, ESQ., Surveyor General,

Dubuque, Iowa :

Sir—Your communication, of July 20th, in relation to surveys of Islands, &c., is at hand, received in the absence of Governor Randall. On referring to the books in this office, I am persuaded that there must be some error in the date of Governor Bashford's letter to which you refer, as I find no such letter recorded at that date, while there is a letter dated July 13th, 1857, to Commissioner Hendricks, in which that officer is informed of the passage of the act by the Legislature of this State, authorizing the survey, and in which the following paragraph occurs :

"These Islands become, under the provisions of this act, (probably referring to the act of Congress, of Sept. 23, 1850,) the property of this State, but as there are many of them unsurveyed, there is no means of disposing of them, and therefore the State has provided for the survey, and I have appointed for this purpose, John B. Whitelan and Wm. H. Brisbane."

The only letter from Commissioner Hendricks, which I find in our files in reply, is dated Aug. 26th, 1857, and contains the following paragraph:

"No general authority for the survey of the Islands in the Mississippi and Wisconsin Rivers can be given; yet, if you will specify the particular locality of the lands, the order with the usual limitations and requirements will be issued, &c."

It has been understood that instructions were sent direct to your office. Will you inform this office whether such instructions, of some nature, have not been received by your department, in order that we may be advised of all the facts in the premises.

Yours respectfully,

W. H. WATSON, Private Sec y.

Letter from the Surveyor General, July 27, 1858.

SURVEYOR GENERAL'S OFFICE,
DUBUQUE, July 27, '58.

To His Excellency, ALEX. RANDALL,
Madison, Wisconsin:

SIR:—Your letter of the 23d instant, per Mr. Watson, is at hand. Enclosed you will find a copy of letter from Ex-Gov. Bashford referred to, and will perceive that the only error, (if there is one,) is as I stated, that it should be 1858, instead of 1857.

In reply to the last clause of your letter, I have to state that no instructions on this subject were received from the General Land Office, nor did I, in issuing my instructions for survey, consider that any were necessary. It has long been the custom of this office to survey detached tracts at the expense of the applicant, and the precedent was so well established, and so often approved by the General Land Office, that I did not deem it at all necessary to trouble it in the matter. In fact, the letter requiring me to cease operations, acknowledges that such is the case; but a discrimination is made between *swamp lands* and others, they say. This distinction I have not been able to find in any document in this office, and have so informed them; and I can see no necessity for it, as the lands must of course be surveyed at some time or another. They (that is, swamp lands,) belong to the State of Wisconsin by law, and if the State is willing, for the purpose of facilitating matters, to survey them, without expense to the government, and under its instructions, the sooner the matter is disposed of the better.

It is not my business, however, to enquire into the motives that caused the action of the General Land Office in this case. I have only obeyed its positive instructions in my notice to you, and of course, it assumes the responsibility.

I am, sir, very respectfully,

Your obedient servant,

WARNER LEWIS,

Surveyor General.

Letter of Gov. Bashford, enclosed in the above.

EXECUTIVE OFFICE,
MADISON, January 1, 1857.

HON. WARNER LEWIS,
Surveyor General, Dubuque, Iowa:

SIR:—The bearer, Mr. J. B. Whitelaw, has been designated by me to survey a portion of the unsurveyed islands of the Wisconsin and Mississippi rivers. From letters received from the Commissioners of the General Land Office, and one from yourself, I infer that you will not object to appoint such men as may be designated by the Executive of this State for the purpose above specified. The State is willing to pay the expense of the survey, and has provided for the same by the act authorizing the survey. Enclosed I forward you the lands I wish examined now, and the persons I desire should receive the appointment for the same.

I am, sir,

Very respectfully, yours,
COLES BASHFORD.

26.

Copy of abstract of correspondence between the Surveyor General and the Commissioner of General Land Office, relative to survey of the Islands, &c.

Commissioner's letter of 17th October, 1853, says to the Surveyor General:

"You may enter into contract as early as you have the opportunity, for surveying during the coming winter, of all the islands worth surveying in the several streams named in your schedule, viz: Mississippi, Wisconsin, Chippewa and Menomonic rivers, at as low a price per mile as you can stipulate," not to exceed if possible, six dollars per mile.

Commissioner of the General Land Office, in his letter of June 8th, 1858, acknowledges the receipt of plats of islands surveyed by the State of Wisconsin, and calls upon the Surveyor General to explain upon what authority he ordered the survey of said islands.

Surveyor General replies in his letter of June 30th, 1858, that he ordered said surveys on the authority of the act of Congress, approved 12th June, 1838, creating his office and defining his duties, and states that it has always been the practice of his office to order such surveys on application, provided the

applicants were willing to pay the expense of survey; that such a course has never been questioned, but on the contrary, sanctioned and been considered the duty of said Surveyor General, and in proof, refers to the Commissioner's letter of October 25th, and December, 29, '59, and particularly to letter of 12th Feb., 1858, directing him to receive the survey of lands known to be swamp lands.

Commissioner replies, July 12th, 1858, that it is true he has authorized, by instructions the survey of islands "valuable for timber or agricultural purposes," but never has authorized the survey of such lands as come under the swamp land act, and orders the immediate discontinuance of the surveys for the State of Wisconsin.

Surveyor General replies, July 19th, 1858, that if any such distinction has been made he is not aware of the fact, nor can he, after careful examination, find it on his records, and that to make such a distinction, nine out of every ten islands at least, would have to remain unsurveyed. He further calls the Commissioner's attention to his own letter of 12th Feb. '58, wherein he (the Surveyor General) is positively ordered to receive the survey of such lands. He also encloses a letter from the Governor of Wisconsin, showing how the matter originated, and informed the Commissioner that, in compliance with his instructions, he has notified the Governor that the surveys must be suspended, and that no more field note of such surveys could be received.

Commissioner's letter of Aug. 3d, '58: Objects to the manner in which the appointment of Deputy Surveyors was made, and considers that the appointments were made by the Governor instead of the Surveyor General; points out the distinction between the survey of islands of a swampy character, and those valuable for timber, &c., said to be contained in his letters to Surveyor General, dated Oct. 17, '53, and 2d June, 1855; further remarks that the character of the land was not stated in the letter of the Surveyor General, that brought out his instructions of 12th Feb., '58, and states that it was for this reason that he made no objection to the approval of the surveys, expresses his approval of the Surveyor General's course in ordering a discontinuance of these surveys.

Surveyor General replies, Aug. 27, '58, that he considers he did perfectly right in appointing the persons designated by the Governor; was not divested of any of his authority by so doing, and believes that had he appointed other persons, the Governor would have acquiesced cheerfully; states how the Commissioner's letter of Oct. 17, '53, originated, and believes that the instructions contained in said letter conferred full author-

ity on him to have the surveys in question made; states that the information as to the character of the lands which called for the Commissioner's letter of 12th Feb., '58, was in possession of the General Land Office, at the time said letter was written, having been forwarded on the 9th June, 1854, and that knowing it was in his possession, he very naturally concluded that the views of the Commissioner had changed entirely; expresses his regrets that he had ever issued any instructions on the subject, and that he should have been so much misunderstood.

Commissioner replies, Sept. 9, '58, that it is no use to carry on the discussion, and thus the subject is dropped.

27.

Letter from Governor Randall to Commissioner of General Land Office:

EXECUTIVE OFFICE, {
Madison, Wis., May 2d, 1859. }

Hon. THOMAS A. HENDRICKS, Com. Gen'l Land Office:

Sir:—On the 20th of July last, I was notified by the Surveyor General, of Iowa, Wisconsin, &c., that he had received orders from your Department to stop the surveys of the Islands in the Mississippi and Wisconsin Rivers, which had, to some extent, been prosecuted at the expense of the State of Wisconsin, by surveyors, suggested by the Governor of the State, and appointed by the Surveyor General. There seems to have been some misunderstanding in regard to the surveys, which should be rectified, if possible.

The authorities of the State have no desire to claim any lands, that by the most rigid construction of the act of A. D. 1850, do not belong to the State.

The State can claim no Islands in either of these rivers except such as are swampy in fact, or subject to overflow.

With a view to ascertain the whole amount of swamp and overflowed lands, to which the State was entitled under the act of A. D. 1850, surveyors were appointed to make surveys of the Islands aforesaid, among other lands. In pursuance of what had been understood to be the approved course of the Surveyor General, persons were designated by my predecessor who were appointed to make these surveys. In July last, as above stated, the surveys were stopped.

The desire of Wisconsin is that no wrong shall be done, either to the General Government or herself, and I make this

communication to ascertain the views of your Department, and the proper course to pursue, under the advice and instructions of the Commissioner of the General Land Office, to ascertain and establish the rights of the State.

I am informed that nearly, if not all the Islands in the Mississippi River, within the jurisdiction of Wisconsin, are subject to overflow and probably come under the denomination of overflowed lands, such as are contemplated by the act of A. D. 1850. The State of Wisconsin is willing, at its own expense, to make surveys of these Islands, and is desirous to do so, and if the persons designated by the authorities of the State, are not satisfactory to the Land Department, will pay the expenses of any surveyors appointed by the Surveyor General, with the approval of your Department. I submit that these questions should be determined soon, so that if these surveys are to be further proceeded with, advantage may be taken of the seasons most favorable for such work.

Connected with the subject of the islands and their survey is the survey of the swamp lands, and the determination of the department, whether the State of Wisconsin is entitled to any other swamp and overflowed lands than those selected by Gov. Dewey, and those selected in the mode adopted by him.

It appears that two propositions were presented to the general land department as a basis of settlement of the amount of swamp and overflowed lands to which the State was entitled under the act of September 12th, 1850 : one to select from the plats and field notes of the government surveyors, and the other by examination and re-survey. Gov. Dewey determined, as appears by his letter of the third of June, A. D. 1851, to choose such lands as were marked swamp and overflowed upon the government plats and field notes.

It appears, as I am informed, that the government surveyors in their surveys previous to the year A. D. 1850, had not been particularly accurate, (perhaps because it may not have been required by their instructions,) in designating all the lands which might be properly described as swamp and overflowed lands upon the plats, and on the field notes, so by the mode of selection adopted by Gov. Dewey, the State might lose if this rule of selection is made arbitrary by the department, a large quantity of swamp and overflowed lands.

The Legislature of Wisconsin, assuming that the State had a right to all the swamp and overflowed lands within its jurisdiction, and unsold at the passage of the act of 28th September, A. D. 1850, provided for the expenses of surveying the swamp and overflowed lands remaining unsold on the 28th of September, aforesaid, in order to determine what further amount of lands

the State was entitled to, beyond what it would receive under the mode of selection adopted by Gov. Dewey. It was hoped that this course might receive the sanction of the land department, knowing the liberality of the government could not consistently deny to the State any thing the law gave, while the State had no right to ask what the law did not give it. The State is content, and has been content to select such persons to perform the services of the surveys as were, and are entitled to the confidence of the land department, as well as of the State, while the State alone should bear all expenses. I am aware that the difficulty here presented is one, the solution of which has no precedent, as was suggested by Mr. Hendricks in my interview with him in June last. I am informed that almost every other State, if not every other one, choose to select their swamp and overflowed lands by examination and re-survey.

They therefore could not be involved in the same difficulties as the State of Wisconsin. It is hardly expected that if the commissioner of the land office should assent to the course the State desire to pursue, all the swamp lands of the State should be re-surveyed, for the later surveys of the government surveyors have been made with more care, and are more satisfactory. Some new rule in the case, I respectfully submit, should be adopted by your department, to furnish relief from the present perplexity and difficulty.

If the Government only authorizes an examination and re-survey of specific tracts of swamp land and of specific Islands, it involves a double labor and expense. The State must, without the countenance of the Government authorities, survey and examine in order to make description to your department, of the lands to which the right is claimed, beyond what it would acquire by selections from the plats and field-notes, and thereafter report was made to the Land Department, another survey and examination would necessarily have to be made, in order to satisfy you that the first was correct.

I submit that the State ought not to be concluded or prejudiced by any erroneous or unfortunate mode of selecting these lands which may have been adopted. That the State is entitled to all the swamp and overflowed lands unsold which it contained at the passage of the act of 1850, giving the swamp and overflowed lands to the States in which they lie, and that the Land Department ought not to make the rule of selection adopted by Governor Dewey arbitrary and conclusive upon the State.

In conclusion, permit me to invite to this important subject your careful, as I know it will receive your candid, consideration.

Very respectfully,

Your obedient servant,

7

ALEX. W. RANDALL.

28.

Letter from Commissioner of General Land Office to Governor Randall, stating that the survey of the Islands can go on.

GENERAL LAND OFFICE,
August 10, 1859.

His Excellency, A. W. RANDALL,
Governor of Wisconsin.

SIR:—In reply to your communication addressed to this office, under date of May 2d, on the subject of the survey of Island in the Mississippi and Wisconsin rivers that are of a swampy nature and subject to overflow, and which are claimable by your State under the act of 1850, and requesting that their survey, under the direction of the Surveyor General of Wisconsin and Iowa, may be continued hereafter, as they had been previous to our instructions to that officer, dated September 9th, 1858, I have the honor to inform you that the Secretary of the Interior has acceded to your request, and that instructions have this day been issued to the Surveyor General, directing him to proceed in the survey of such Islands, the expense of such survey to be defrayed by the State of Wisconsin. A copy of said instructions I have the honor herewith to enclose to you.

With great respect,

Your obedient servant,

J. S. WILSON, *Acting Commissioner.*

Copy of instructions to Surveyor General enclosed in above letter.

GENERAL LAND OFFICE, }
August 10, 1859. }

WARNER LEWIS, Esq.,

Surveyor General, Dubuque, Iowa:

SIR: Referring to our letter to you of September 9th, 1858, instructing you to discontinue the survey of islands in the Mississippi and Wisconsin rivers, of swampy and overflowed character, and enuring to the State of Wisconsin, under the Swamp Grant of September 28, 1850, I have now to inform you that the Secretary of the Interior, upon the application of the Governor of Wisconsin, agreeing to pay the expenses incident to the survey of such islands, decided, on the 1st instant,

to permit the survey of such islands to be made by the United States surveyors.

You will, therefore, consider yourself authorized to survey islands of the above description in the Wisconsin and Mississippi rivers, from the date of the receipt hereof, and upon the following principle:—

If an island, when surveyed, protracted on a plat, and falling within certain sections and townships, will be found to be wholly of swamp and overflowed character—in that case the expense of its survey shall be entirely borne by the State; but should the island be found to contain partly the land enuring to the State, and partly fit for agricultural purposes, and valuable for its timber, and not falling within the swamp grant, as aforesaid, then the expense of the survey thereof, will be defrayed by the State of Wisconsin and the United States respectively, and in proportion to the respective areas contained in the island.

The plats of islands showing greater part of all legal subdivisions to be swamp and overflowed lands, will enure to the State, while all legal subdivisions containing smaller part of the like character of the lands will remain the property of the Government.

When an application is made to you by the State of Wisconsin for the survey of particular islands, and you direct your deputy to have the same surveyed, it will be your duty immediately thereupon, to transmit here an approximate sketch of such islands showing their relative positions with respect to the Government surveys, and in making your returns to this office, of duplicate plats of the surveyed islands, you will accompany them with swamp lists, designating the particular legal subdivisions enuring to the State, and their aggregate area.

I am, very respectfully,

Your obedient servant,

JAS. S. WILSON, *Act. Com'r.*

29.

*Letter of Secretary of the Interior to Commissioner of the
General Land Office.*

DEPARTMENT OF THE INTERIOR,
Washington, Aug. 1st, 1859.

SIR :—Concurring in the views of your office relative to the survey of Islands in the Mississippi and Wisconsin rivers, which are claimed to be of the description of lands granted to the State of Wisconsin, by the act of Congress, approved September 28th, 1850, and in your opinion unfavorable to a change of policy in setting apart the lands which enure to that State under that act. I deem it proper to add a few observations in reply to the letter of Governor Randall of 2d May, last, submitted with your report of the 6th ultimo.

Since that grant was made and up to the present time, the field notes of the public surveys, have been the basis of the selections, and on that basis more than 1,600,000 acres have been selected and approved to the State.

The act of Congress imposed the duty of setting apart these lands, upon the Secretary of the Interior, and in November, 1850, two plans for the performance of this duty were suggested, and the Governors of the several States, were requested to inform the Department which plan they deemed preferable, so far as the interests of the respective States were concerned.

The Governor of Wisconsin, in June, 1851, after mature deliberation and consideration of the best interest of the State, advised the Land Office that Wisconsin would be willing to adopt the field notes of the United States surveys as the basis of setting apart the granted lands.

The present Governor, however, in a communication of the 2d May last, says that the surveys in Wisconsin, previous to 1850, had not been very accurate, and all the lands that ought to be ed as part of the grant, were not by the field notes of those surveys, shown to be unfit for cultivation without artificial drainage or embankment.

He therefore expresses the opinion that Wisconsin, out of the lands that had been surveyed and remained unsold on the 28th September, 1850, within her limits, is entitled to "a further amount of lands," and he suggest a re-examination and re-survey, with a view of ascertaining what lands have been erroneously omitted from the lists of Swamp Lands, that they may be hereafter certified to the State.

The most serious objection to this course, is that it would unsettle every thing that has been done. The re-examination would necessarily extend to the lands heretofore certified and patented, and the State would have to restore to the United States such tracts as may have been improperly listed as enuring to her, for it could not be asked that all errors and inaccuracies should be corrected in favor of the State, but none corrected against her. The inevitable result would be delay in administering the grant, dissatisfaction and litigation among the citizens of the State, and appeals to the Legislature for relief or damages.

A second consideration, is this: our predecessors in office, both on the part of the State and the United States, in view of all the facts existing at the time, concluded that the method of adjustment adopted, was the most just and fair and dictated by the best interests of Wisconsin. As I view the matter, they stood in just the same relation to the subject as we do, and I should hesitate to adopt any other plan than the one entered upon by them, even if my opinion did not agree with that which they entertained. What rendered their action peculiarly appropriate, was the consideration of the fact that the best knowledge which Congress possessed in 1850, of the swamp and overflowed lands unfit for cultivation, surveyed and then remaining unsold, may be presumed to have been derived from those official records, the field notes of survey, and the tracts thereby shown to be unfit for cultivation at that time, may be regarded as those which especially Congress intended to grant.

We will bear in mind that Governor Randall, alluding to surveys which have been made and returned since 1850, states that they "have been made with more care and are more satisfactory," thus waiving any complaint against the plan of selection that has been pursued, in respect to its operation in those districts where, the surveys have been made since 1850.

As it thus appears that the plan of administering the Swamp Lands in Wisconsin, was fully endorsed by the State officers at its inception, as just and beneficial, as no serious complaint has arisen during a period of nearly nine years, and as its present and future operation are not the subject of any complaint, I think we have a very strong case against a change. It may be regarded as a matter of congratulation that the plan which was adopted has worked so well, and with such concurrent satisfaction to the officers of the State, and the United States, thus indicating its wisdom and fairness, and exhibiting a history so creditable to its merits, that we could not hope to make a change for the better by the substitution of any other.

The papers which you enclosed are now returned to your office.

Very respectfully,

Your obedient servant,

J. THOMPSON, *Sec'y.*

The Commissioner of the General Land Office.

30.

Copy of opinion of U. S. Attorney General in the Arkansas Case.

ATTORNEY GENERAL'S OFFICE, Nov. 10th, 1858.

Sir:—By the act of Sept 28th, 1850, Congress granted to the State of Arkansas all the swamp and overflowed lands rendered unfit for cultivation thereby, within her limits, for certain purposes mentioned in the act. On the 3d of October, 1856, the Surveyor General made a report which was filed in the General Land Office, designating the overflowed lands which had been selected by the State under the grant. On the 9th of Feb. 1853, Congress made another grant to the States of Arkansas and Missouri, to aid in the construction of a railroad; and under this grant a part of the lands previously granted to the State of Arkansas, under the denomination of swamp lands was included, and is now claimed for the use of the railroad.

The question upon which you ask my advice, requires a comparison of the two laws, and the acts done under them, so as to ascertain which of these is the better title. Does the State take it under the first grant, or was that grant so imperfect that the subsequent disposition of it by Congress, passes the right to the later grantee?

Where there is a conflict between two titles, derived from the same source, either of which would be good if the other were out of the way, the older one must always prevail—*prior in tempore, potior est in jure.*

This difficulty, therefore, is solved, if the mere grant, as you call it, gave the State the right to the land from the day of its date. That it did so, there can be no doubt. In an opinion which I sent you on the 7th of June, 1857, concerning one of the same laws now under consideration, I said, that a grant of Congress does of itself *proprio jure*, pass to the grantee as the estate which the United States had in the subject matter of the grant, except what is expressly excepted. I refer you to that opinion, for the reasons and authorities upon which the principle is grounded. It is not necessary that the patent should issue before the title vests in the State under the act of

1850. The act of Congress was itself a present grant, wanting nothing but a definition of boundaries to make it perfect; and to attain that object, the Secretary of the Interior was directed to make out an accurate list and plat of the lands, and cause a patent to be issued therefor. But when a party is authorized to demand a patent for land, his title is vested as much as if he had the patent itself, which is but evidence of his title. The authority given to the State Legislature to dispose of the lands upon the patent, does not make the grantee less the exclusive owner of them than she would be if those words were omitted. The object of that clause, undoubtedly, was to prevent the Legislature of the State from a premature interference with the lands before they were so designated as to preclude mistake or confusion.

The subsequent grant by Congress to the State for the use of the *Railroad* could not have been intended to take away from the State the rights previously vested in her for other purposes. We are never to impute such intentions to the legislative department where any other construction can be given to the words of a statute.

Even if we could suppose that to be the meaning of Congress in this case, it would avail nothing to the later grantee, since in all cases of conveyance a later grant must yield to an earlier. It has often happened that public grants, by mistake, have been so described in general words that when they come to be located they are found to lie afoul of each other. I believe it has never been thought that where this happens, they are not to be treated like inconsistent deeds made by private persons. There are cases in which grants are made under descriptions so vague and indefinite, that neither the grantee, nor any other person can tell their location or boundaries, until the grantee does some act which locates and defines them. In such case, if another right which is strictly defined intervenes, the first grantee may lose what he would have been entitled to if his own grant had been descriptive and definite. But that principle does not apply here, because the general description of all swamp and overflowed lands within the limits of Arkansas is definite enough for purposes of notice.

Besides, the grant for the railroad was originally much more indefinite than the other, requiring the location of the road to be made before the locality of the lands could be known at all. The State proceeded to make her selections, and to fix the location of the lands definitely, before the railroad did any such thing with its grant. The State, therefore, has the oldest and most definite title, and its lands were accurately located, and their boundaries particularly defined, agreeably to the act

- of Congress, before the same thing was done by the other claimants. The oldest title, the most definite, and the first location will surely give her priority and preference over another grantee subsequent in title, less definite in the terms of the grant, and later in location.

I am, very respectfully, &c.

[Signed]

J. S. BLACK.

Hon. JACOB THOMPSON,

Secretary of the Interior, Washington, D. C.

31.

Report of J. B. Whitelaw, of his operations as Surveyor of Swamp Lands, &c.

To His Excellency, ALEXANDER W. RANDALL,
Governor of the State of Wisconsin:

I have the honor to transmit to you herewith a report of the survey of swamp and overflowed lands in the State of Wisconsin, under my superintendence, since the passage of the act by the Legislature of 1859, authorizing the same.

Under my appointment I visited Dubuque on the 8th day of March last, for the purpose of obtaining instructions from the Surveyor General in regard to the method of procedure required by that office in making examinations and selections of swamp and overflowed lands, so as to meet the approval of the general government.

Under such instructions, I made arrangements for and commenced the work on the 28th day of March, A. D. 1859, and have made my surveys, examinations and selections in strict accordance with the rules adopted by that office,—copies of which, with the oath attached, have been filed in the office of the Secretary of State.

In the prosecution of the work thus far, I have necessarily had the survey of a large amount of land in the more southern counties of the State—which had been sold by the general government previous to the passage of the act of 1850—as it was impossible to determine the time when such lands had been sold until examinations were made at the United States land offices.

In the middle and northern counties such has ceased to be the case, as the entire amount of such lands there are either vacant or have been sold since the passage of the act.

Examinations have been carefully made at the U. S. land offices to show the year in which each tract of swamp and overflowed

lands has been sold by the general government—the amount of such lands which are still vacant—the amount of former selections which are swamp and overflowed, with the amount of such selections which are dry—the amount of swamp and overflowed lands which have been selected as “State land”—and the amount previously returned to the State of Wisconsin on the approved list, and since also sold by the general government.

Such reports have been made, as far as the work has advanced, of each county in the State.

The following Schedule will show the work in full and in detail:

Counties.	No. Acres sold since Septem. 3d, 1850.	No. acres now vacant.	No. acres of former selections which are swamp.	No. acres of former selections which are dry.	No. acres of former selections which are swamp.	No. acres of former selections which are swamp.	No. acres of former selections also sold by U. S.	No. acres of Swamp Lands sold before 1850.	Total No. of acres surveyed.
Grant,	14,177.12	.....	1,085.88	.....	770.80	.....	.....	6,862.30	22,336.90
a Iowa, in part,	2,899.07	.....	.....	.....	393.92	.....	.....	2,391.52	6,129.51
Crawford,	8,565.37	9,627.87	1,541.78	.....	310.02	.....	.....	833.88	20,378.87
Richland,	6,609.81	182.09	640.55	.....	508.76	.....	.....	4,022.77	11,908.96
Bad Ax.,	5,196.37	4,708.09	5,123.67	538.44	789.70	.....	.....	597.95	16,954.26
La Crosse,	17,807.83	4,169.77	17,410.98	508.61	2,301.87	.....	318.45	.....	42,615.01
Monroe,	19,182.63	16,567.88	83,616.55	11,629.87	800.00	.....	80.00	.....	81,876.43
a Jackson, in pt.,	6,160.03	6,980.88	10,094.41	2,920.62	.....	.....	.....	.....	24,785.44
a Trempealeau, in pt.,	11,540.98	7,569.26	11,060.90	893.25	.....	.....	.....	.....	31,004.89
a Buffalo, in pt.,	2,185.87	1,541.74	12,541.74	1,582.51	780.58	.....	.....	.....	18,531.94
Sauk,	11,894.00	699.78	8,183.47	160.00	400.00	.....	.....	.....	37,487.06
a Juneau,	51,060.91	37,023.57	189,585.63	4,661.94	260.00	.....	.....	16,049.81	232,612.05
Dane,	13,644.61	.....	16,005.88	1,214.46	160.00	.....	.....	21,897.50	52,982.45
Columbia,	15,132.29	2,407.61	13,903.56	1,824.55	560.00	.....	40.00	30,021.12	70,193.18
a Adams,	8,995.98	6,293.77	61,819.91	6,983.34	.....	.....	480.00	.....	83,672.96
b Marquette,	59,003.03	.....	35,617.55	.....	.....	.....	73.96	770.87	95,464.91
Waushara,	6,267.98	2,888.56	38,335.16	7,177.66	1,466.66	.....	.....	.....	57,692.71
a Dodge, in pt.,	8,012.89	576.75	20,846.53	517.09	.....	.....	.....	37,263.29	67,210.55
a Fond du Lac, in pt.,	2,060.50	320.00	6,619.07	766.94	80.00	.....	.....	21,218.76	30,548.47
a Winnebago, in pt.,	4,146.30	1,922.46	11,564.58	120.00	444.84	.....	.....	18,607.91	48,074.73
a Manitowoc, in pt.,	4,488.84	70.28	.....	.....	.....	.....	.....	340.00	779.12
a Sheboygan, in pt.,	1,600.25	237.16	200.00	.....	.....	.....	.....	2,284.63	6,322.03
a Washington, in pt.,	282.68	.....	562.02	.....	.....	.....	40.00	3,012.19	3,896.98
a Chippewa, in pt.,	16,906.95	104,715.92	1,104.08	.....	118.22	.....	.....	.....	122,844.15

Dunn,	15,798.62	28,813.45	816.64	.....	.....	2,777.63	.....	.....	48,866.84
a Eau Claire, in pt.,	6,948.50	7,964.57	.....	.....	.....	1,869.84	.....	.....	17,457.93
a Pepin, in pt.,	5,598.61	4,050.01	.....	.....	.....	.....	.....	.....	9,648.62
Total,	321,767.47	248,224.97	447,090.07	89,746.72	11,390.53	22,282.69	1,092.41	166,073.48	1,261,187.25

Winnebago Reservation in Dane county, 560.00.

Winnebago Reservation in Fond du Lac county, 458.20.

Military Reservation in Columbia county, 2,560.71.

Counties marked a, not yet completed. Counties marked b, examinations at the United States Land Offices, not yet completed.

The amount of surveys which have been made thus far, amount in the aggregate to 1,261,107 25-100 acres, at a cost of less than two and one-half cents per acre, including the examinations made at the different United States Land Offices in the State, together with all other expenditures incident to the survey.

None but the most competent assistants have been employed, and every care taken to make the work, in all respects, most thorough, correct, and complete.

It has been my object and aim to prosecute the work in strict compliance with the requirements of the United States Surveyor General's Office, and I am happy to add that it has, thus far, received the highest commendation therefrom.

In my report of last year, of the portion of the work then completed, I stated it as my belief that the amount of new selections in the State could not be less than seven or eight hundred thousand acres. I am now fully convinced, from the ratio of increase thus far, that it cannot be less than twice that amount, or, in round numbers, a million and a half of acres.

As the work has advanced towards the middle and northern portions of the State, the gain has been uniformly much greater.

Towns have frequently been found through which no complete interior lines have ever been run; others containing thousands of acres of swamp and overflowed lands, no report of which has ever been made; and others, still, "whose character," in the language of the Surveyor General, "could not be determined by that office."

From these causes, and also from the fact that a large portion of these surveys were made in the winter season, with a depth of snow rendering it impossible to determine the character of the country, is to be attributed the incompleteness of the former selections, or correct designations of swamp lands on the plats; and presents some of the difficulties which it was impossible to overcome, with which the Surveyor General had to contend in making such selections.

In prosecuting the present plan, my thanks are due Surveyor General Lewis for much valuable assistance and counsel.

In the progress of our examinations of the swamp and overflowed lands bordering upon the Mississippi river, I have ascertained that a large and valuable Island above Cassville, and known as the "Twelve Mile Island," was included in the Iowa survey, and small portions of the same sold by the General Government at the Dubuque Land Office; when, upon representation that they were clearly and unquestionably upon this side of the main channel of the Mississippi river, and therefore belonging to the State of Wisconsin, they were immediately with-

drawn from market, since which no further steps have been taken towards securing a patent to the State for the same.

All of which is respectfully submitted.

JOHN B. WHITELOW,
Superintendent of Swamp Land Survey



THE UNIVERSITY OF MICHIGAN

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JOINT INVESTIGATIVE REPORT



IN ASSEMBLY, MARCH 30, 1860.

APPENDIX B.

JOINT INVESTIGATING REPORT.



REPORT

OF THE

JOINT INVESTIGATING COMMITTEE.

The joint standing committee for Investigation, having examined the official records in the several State Departments, submit the following report:

STATE TREASURER.

A thorough examination has been made in the office of the State Treasurer. The records of receipts and disbursements have all been examined, item by item; the vouchers have all been compared; the footings have been tested, and everything found correct. The banking securities, amounting, in the aggregate, to \$4,975,120, have been carefully examined and found to correspond with the books and records of the office. The affairs of this department are all conducted in the most concise and business-like manner.

The following are the total receipts into the various funds from January 1st, 1859, to January 1st, 1860:

General Fund,.....	\$533,866 03
School Fund,.....	119,506 54
School Fund Income,.....	183,063 28
Swamp Land,.....	14,244 90
Swamp Land Income,.....	54,958 79
University Fund,.....	8,379 75
University Fund Income,.....	20,369 68
Drainage Fund,.....	1,881 22
Drainage Fund Income,.....	5,725 87
Normal School Fund,.....	1,994 00
Deposit account, . . .	623 71

Disbursements.

From General Fund,.....	\$490,480 91
School Fund,	88,869 63
School Fund Income,.....	192,680 47
Swamp Land,	30,297 89
Swamp Land Income,.....	571 88
University Fund,	5,058 40
University Fund Income, ..	21,010 99
Drainage Fund,.....	1,950 00
Drainage Fund Income,.....	27,178 22
Normal School Fund,	11,787 92
Deposit account,.....	1,654 18

SECRETARY OF STATE.

In the office of the Secretary of State, the examinations have been mostly confined to the securities of the several Trust Funds, and the various audited accounts.

The loan papers were mostly found in good order. A list of the loans, herunto annexed, is marked (A.) and the several defects found to exist are noted. In those cases where your committee have noted as "no record of title from the United States," there was no record found in the counties where the land lies. It is presumed that the records were correct in the land office where the land was entered. Other marginal notes need no explanation. The record of loans show that certain parties have much larger loans from the school and other funds than is now allowed by law. In these cases, the parties have purchased forfeited mortgaged lands of the State, and hence they have the appearance of having obtained duplicate loans far beyond the amount authorized to be loaned to any one person. The attention of your committee has been repeatedly called to examine loan papers alleged to have been forged, or fraudulently made; but the vast amount of labor required to be done in making these investigations, during the session of the Legislature, makes it quite impossible to prosecute the examination of particular cases, unless all the proof requisite to elucidate the whole subject under consideration, can be readily obtained. More careful vigilance than has yet been exercised in the disposition of these trust funds, is needed to prevent their being dissipated, and eventually entirely lost. In a few cases of loans, no notes or mortgages were found. It is presumed they are yet in the offices of registers of deeds to be recorded.

During the year 1859, securities given for loans, to the amount of \$56,374 24, have been forfeited to the State, viz:

From the School Fund,	\$47,504 24
University Fund,.....	1,300 00
Drainage Fund,	7,570 00

\$56,374 24

A large proportion of these securities may be regarded as comparatively worthless.

School Lands which have heretofore been sold for.....	\$164,818 11
University Lands to the amount of.....	21,611 97
And Swamp Lands to the amount of.....	201,950 68

Or an aggregate principal of.....	\$388,380 76
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Have been forfeited to the State during the past year. This amount of the principal forfeited, together with the amount forfeited on mortgaged lands, \$56,374 24, makes a total aggregate of principal forfeited of \$444,755 00. Thus the income of these several funds, in 1859, was reduced more than \$31,000.

PUBLIC PRINTING.

Since examining the accounts of the Public Printer, we find as appears from the vouchers on file in the office of the Secretary of State, that there was audited during the year 1859, for doing the public printing and advertising of all kinds, the total sum of \$76,938 93, of this amount \$20,850 43 is for advertising in the "Wisconsin Patriot," leaving \$56,088 50, as the amount audited for work alleged to have been done under the existing contract for doing the public printing.

Recollecting that the commissioners of printing in awarding the contract to the present contractor, had figured that his contract, for a year's work on the "official basis," would amount to but \$6,471 59, and well aware that there has been no such increase of work over the estimate contained in said basis, as the great excess of charge would require, your committee felt it to be its duty to examine particularly into the causes which have led to this startling result. These causes they have ascertained to be, as they believe, simply a neglect or violation of duty on the part of the auditing officers, in auditing as correct accounts, in violation of the contract. A charge of this magnitude is made only, after a most thorough examination. Your committee is at a loss to imagine how two opinions could permanently have obtained, as to the interpretation of the leading features of that contract. They can find no ground for a difference of opinion, when carefully examined in all its parts.

If your committee are mistaken in the construction which they put upon the contract to do the public printing, then in violation of the constitution and the law, this contract was let to the *highest*, instead of the *lowest* bidder.

The work done by the contractor, for the State Printing proper, by which we mean, all work exclusive of advertising and extra copies of the "Wisconsin Patriot," for which the sum of \$56,088 50 has been audited to him, embraces no more than the full amount of work naturally belonging to a year's service. Yet that sum exceeds by twenty-six thousand four hundred and fifty-nine dollars and fifty cents, the *highest* bid, that of Messenger & Co. as shown on page 746 of the Senate Journal of 1859—of the seven competing bids before the commissioners at the time this contract was awarded to the present contractor; it being in fact nearly one hundred per cent. higher than the highest bid before the commissioners. This fact which cannot possibly be denied or disputed, with success, is conclusive that there has been gross neglect or violation of duty *somewhere*. Your committee have been unable to find any evidence of neglect or violation of duty on the part of the commissioners in awarding the contract, but on the contrary, find abundant evidence to show that they, not only at the time of the letting of the contract, but subsequently, and to this date, understand it substantially as does your committee, after a careful examination of the law and the contract. We are therefore forced to relieve the commissioners of any imputation of a design or intention to make a contract at variance with the letter and spirit of the law. The chief cause of the wide difference of opinion between the contractor and your committee is found mainly in the fact, that the contractor seeks to have work accounted for, and has had it so audited under the following heads, which is not in accordance with the law and the contract:

1st. Displacing, unwarrantably, some of the items in a class, in which there is no dispute about the class to which they belong.

2d. Counting half sheets, or less than half sheets, as whole ones, and quires of blanks as quires of sheets, in the third class in blank work for the several departments. This has been the rule. There are only a few exceptions.

3d. Calling as "*extra incidental*" work the most natural and unavoidable, and every year required, and of a character which fixed its position in the class to which it belonged, so as to preclude it from being legitimately "*extra incidental*."

4th. Allowing specific items in another class than that fixed by the law and the contract.

5th. In printing at highest contract prices, comparatively large amounts ordered by the Secretary of State, Bank Comptroller, and Superintendent of Public Instruction, wholly unauthorized by law.

6th. An exorbitant charge and allowance for advertising in the "Wisconsin Patriot" a class of notices, both in the Daily and Weekly where the law only contemplated a weekly publication, and in the same connection receiving an allowance for advertising forfeited school, university and swamp lands, of \$1 60 a description, in excess of what your committee deem either just or legal.

There is no ambiguity, that we can discover, in the law or the contract, that will justify the action of the auditing officers in so far acceding to the claims of the contractor, as to audit accounts in the manner set forth above, changing as it does the whole end and aim of the Commissioners in awarding the contract, viz: to guard the interests of the State, by letting the printing contract to the lowest bidder. Everything is clearly and distinctly set forth, and could not be well or easily misunderstood, and, as your Committee will show, was not misunderstood, either by the Commissioners or the contractor, but on the contrary we have the proof that both understood it substantially alike, when the contract was perfected, and also at a subsequent period, and as your Committee understand it now. The Commissioners of Printing advertised extensively for bids for the work. They set forth the specifications and carefully prepared an estimate of the probable amount of work required to be done. The kinds of work belonging to the several classes was distinctly stated, and the kind of work that belonged under the separate heads or items of each class was also clear, as well from common and universal understanding, as from the official basis or estimate of work required.

The First Class was stated to be "comprising all printing incident to the business of the two houses while in session." The official basis of work required in this class shows, that this class embraced the Annual Reports of the several State Departments, and State Institutions, required by law to be made to the Governor; the bills of the two Houses, and the daily slips of the two Houses. The same basis, too, shows clearly, that in paper for book work, was included the paper for the Annual Reports, and the daily slips; and in paper for bill work, and extra incidental jobs, was included paper for the objects mentioned. To make this plain to the most obtuse, whether professional printers or not, your Committee proceed to explain:—The basis calls for the printing of 80,000 pamphlets in the First Class. It also calls for printing incident to the business of the two Houses of the Legislature, while in session. Whatever else this business may embrace, there can be no rational doubt in relation to its providing the paper for these pamphlets, and the daily slips. For these items, 6,750 quires

of book paper were provided. For the bills of the two Houses, and for such "extra incidental" jobs as unforeseen exigencies might require, 2,000 quires were provided.

But the account of the Public Printer, for work in the first class, embraces scarcely a charge for paper under the head of book-paper, which he is obliged by the contract to furnish at the rate of 1-1000th of a cent per quire; nor does it intimate any as used, save a few quires for printing the Legislative Manual, so small in amount as scarcely merits being noticed as an exception; while the amount of paper for bills and extra incidental jobs, for which it was estimated 2,000 quires would be ample, and for which 75 cents is allowed by the contract, is swelled to the enormous amount of more than 52,000 quires; the contractor assuming, and the auditing officer allowing, the pamphlet work as extra incidental; and charging for the paper used in said work, and for the press-work on the same, as though it was cap size; when your committee know that light book-paper, or ordinary print paper, double-medium size, was actually used in doing the work.

In further confirmation of the fact that the contractor did not disagree with the commissioners when the contract was made, we call attention to the "Protest" of the contractor and assignee, to be found in Senate journal for 1859, commencing on page 151, made when the contract was entered into, as follows:

"5. Because, under *the most favorable construction* which the written law, the law of the craft, and the specifications place upon the matter, I could no more than obtain pay enough to cover *costs*; and if I am held to the construction a majority of the commissioners have (no doubt) mistakenly placed upon the items of work in the third class, I could not save my *outlays* by thousands of dollars."

H-re, it will be seen, the contractor claimed a peculiar construction of items in the third class, to enable him to cover *costs* on his contract as a whole. Without this favorable view of his third class work he could not "save his outlays by thousands of dollars;" showing beyond a doubt that at that time he had not concluded to attempt the development of the mine of wealth, in the work in the first class, (however much pencil marks on the inside of the covers of some of the pamphlets may now reveal the preparation he made for giving plausibility to his present claims,) or he would not have been so tenacious and solicitous to eke out, by construction, a few hundreds from the third class printing, "to cover costs," when all the excess in that class for a year's work, and embracing the jobs thrown in by favorites, foots but \$4,937 74 above the contract price, while the item of pamphlet work alone, as allowed by the


auditing officers, takes, if paid, from the treasury more than \$33,000 above contract price. Is it probable that, with the idea of charging for the pamphlets as incidental work, clearly defined in his own views, and with a purpose unshaken in regard to demanding it, he was yet besieging the Legislature to construe his contract so as to "save costs?"

Again, it will be seen, by the testimony of the State Treasurer, Mr. Hastings, and Mr. Watson, the Private Secretary of the Governor, hereunto annexed, marked B, that both Ross, the contractor, and Carpenter, the assignee, refused, while this contract was pending and unperfected, to take the annual Reports of the State departments to print, because, their contract not being perfected, they were not *obliged* to take them, and it could not be expected that they would take work which paid them nothing, while they did not refuse to take work which, by the terms of the contract, paid them a profit. The contractor refused the work, and it was engaged to be done by Atwood & Rublee, and paid for outside of this contract. By this testimony it is clear that, at *that time*, the contractor and assignee did not differ with the commissioners on the interpretation of this portion of the contract. The commissioners figured that it paid the contractor for *nothing but the press-work*; the contractor and assignee said the same in refusing the work, and thus when the contract was entered into, there was a perfect understanding and agreement between the commissioners, the contractor and the assignee.

There is abundant evidence, too, that this opinion continued on the part of the contractor for some time after the contract was entered into. For instance, on the 9th day of February, 1859, between two and three months after the contract was perfected, the contractor sent a communication to the Senate, [see page 240, Senate journal,] in which he stated that by the most liberal construction that could be given to his contract, his receipts for the work of the session could not exceed \$13,000; yet his account as rendered, and finally audited, for the work of the session, is more than \$30,000.

On the 10th of March, appears on page 668, Senate Journal, the first evidence of the discovery, or rather disclosure, of this new construction of the contract, on which day appears another communication from the contractor, hinting this construction as a compromise, not claiming it as a legal right, as he would have done if it really existed. This construction was subsequently embraced in an act which passed the Legislature, and was vetoed by the Governor, on the ground that it interfered with and changed the contract. Up to this time, with the exception of blanks, there does not appear to have been any

difference of opinion between the commissioners and the contractor. What has transpired since, your committee would ask, to exalt the attempt at compromise, vetoed by the Governor, so that it now becomes a part of the law and the contract? Your committee can find nothing but the passage of a joint resolution by the Senate, which was not concurred in by the Assembly, as an examination of the Assembly Journal will show, and which was not heeded by the auditing officers, as a reference to the endorsements on the back of the audited accounts will show. The auditing officers, with a full knowledge of the law and the contract, and knowing that the attempt at a compromise had failed, leaving the contract as it originally stood, save the modification authorized by the report of the Judiciary committee of the Senate, [see page 555, Senate Journal of 1859,] audited this work, as set forth in the following tables, on precisely the same construction as that set forth in the bill returned to the Senate without the approval of the Executive.



Book or Pamphlet work entitled to pay for press work with the exception of the last item, viz: the Governor's Message and accompanying documents.

1859.	No. of Vouch.	No. of Pages.	No. of Copies.	Name of Report.	Amount Claimed.	Amount Allowed.	Amount of Contract.	Exc's over Contract.
March 24.	625	8	5,000	Report of House of Refuge,.....	344 10	344 10	\$ 13 23	330 87
March 24.	626	16	5,000	Report of Hospital for the Insane,.....	585 63	585 63	26 46	509 17
March 24.	626	42	5,000	Report of Land Commissioners,	1,250 29	1,250 29	535 00	715 29
March 24.	626	64	5,000	Report of State Prison Commissioner,	1,620 12	1,620 12	105 21	1,514 91
March 24.	626	34	5,000	Report of Adjutant General,	1,250 29	1,250 29	68 15	1,184 14
March 24.	626	20	5,000	Report of Bank Comptroller, 1st part,	1,074 18	1,074 18	39 69	1,034 49
March 24.	626	78	5,000	Report of Board of Regents,	1,964 22	1,964 22	131 67	1,832 55
March 24.	626	10	5,000	Report of State Agricultural Society,	535 63	535 63	26 46	509 17
March 24.	626	12	5,000	Report of Geological Survey,	535 63	535 63	26 46	509 17
March 24.	626	10	5,000	Report of Fox & Wis. River Improvement Co	535 63	535 63	26 46	509 17
March 24.	626	26	5,000	Governor's Message,	892 96	892 96	52 92	840 04
April 20.	730	130	5,000	Report of Bank Comptroller, ordered by Leg.	3,213 78	3,213 78	1,592 40	1,621 38
April 20.	730	24	5,000	Assessment Law,	714 66	714 66	844 10	370 56
Dec. 23.	1016	64	5,000	Report of Investigating Committee,	2,142 52	2,142 52	1,037 40	1,085 12
Dec. 21.	1016	44	5,000	Report of Deaf and Dumb, and Insane,	1,784 47	1,784 47	105 21	1,679 26
Dec. 20.	1016	192	5,000	Treasurer's Report,	1,250 29	1,250 29	78 75	1,171 54
Dec. 23.	1016	120	5,000	Report of Secretary of State,	4,464 08	4,464 08	315 00	4,149 08
Dec. 28.	847	206	6,000	Bank Comptroller's Report,	2,857 19	2,857 19	197 19	2,660 00
				Report of Sup't of Public Instruction,	5,778 03	5,778 03	409 50	5,368 03
	806	.....	1,100	Governor's Message and Accompanying Docs.,	6,318 79	6,318 79	000 00	\$6,318 79
	801							
					\$39,062 52	\$39,062 5	\$5,149 26	\$33,918 26

In the above table will be found four items, viz: the Report of the School Land Commissioners, the Bank Comptroller, the Assessment Law, and the Report of the Joint Investigating Committee, which are computed as extra incidental jobs, on book paper, for the reason they were ordered by resolution of the Legislature and therefore out of the line of pamphlet printing, for which the contractor receives only pay for press work.

In the Third Class, in connection with blanks, the contractor claims that every blank, or part of a sheet, shall count a sheet, and every twenty-four blanks, or parts of sheets, shall count a quire. To correct this construction which, under other laws and contracts, had become a great abuse, the present contract provided, in accordance with section 4, of chapter 114, of the General Laws of 1858, "that in estimating the several items of blanks in the Third Class, that in no case shall 24 blanks be counted as a quire of blanks, unless 24 sheets be necessarily used."

The accounts, in detail, of the Third Class, or Blank Work of the Departments, the Legislative Printing, and the advertising, as claimed, as allowed, as computed by your Committee, and the excess allowed above contract price, are too voluminous to incorporate into this Report. They are all on file, so far as not given in this report in full, so that the action of the Committee on each item can easily be ascertained. On the construction, then, plainly the legitimate one in reference to the First and Third Classes, and counting the Second Class to comprise the Journals and Documents of the two Houses, and all General and Local Laws, as is not disputed, save in the one item of Documents, to which we shall hereafter refer, your committee, by the aid of practical and disinterested printers, viz: J. A. Smith, of the *Fond du Lac Commonwealth*, H. L. Rann, of the *Whitewater Register*, and J. M. Doty, of the recent *Badger State*, have compiled the following tables, which show clearly the state of this printing matter, in its several features, as found in and computed from each voucher.

		Sec. of State.	by St. Compt'r.	AMOUNTS PAID BY State Treas.	Amount as per Contract.	Exe's. over Con- tract prices.
520	Feb'y. 25, 1859...	\$762 60	\$762 60	\$762 60	\$538 15	\$224 45
625	March 23, 1859...	3,274 26	3,274 26	3,274 26	2,650 72	623 54
626	March 24, 1859...	14,874 80	14,874 80	14,874 80	1,561 63	13,313 17
668	March 2, 1859...	293 00	293 00	293 00	146 50	146 50
669	March 2, 1859...	209 00	209 00	209 00	104 50	104 50
673	March 2, 1859...	11 90	11 90	11 90	11 90	.....
729	April 21, 1859...	535 80	535 80	510 80	248 20	262 60
730	April 20, 1859...	6,070 96	6,070 96	6,070 96	2,993 90	3,077 06
751	April 21, 1859...	598 00	152 00	152 00	152 00	.....
752	April 18, 1859...	100 60	14 90	14 90	9 90	5 00
755	April 18, 1859...	82 60	82 60	82 60	49 70	32 90
800	June 13, 1859...	2,455 31	2,175 31	2,175 31	794 80	1,880 51
801	June 23, 1859...	3,435 20	3,435 20	3,435 20	5 48	3,429 72
847	July 1, 1859...	1,773 89	1,773 89	1,773 89	3 55	1,770 34
Total, as certified by Comptroller,			.....\$83,641 22	\$83,641 22	\$9,270 93	\$24,370 29
860	Aug. 22, 1859...	120 00	.....	120 00	130 00	.....
946	Oct'r. 7, 1859...	3,023 30	.....	3,023 30	2,485 10	538 20
947	Oct'r. 16, 1859...	1,044 75	.....	759 75	423 10	336 65
973	Nov'r. 16, 1859...	202 90	.....	202 90	78 90	124 00
1015	Dec'r. 12, 1859...	337 10	.....	265 10	236 55	28 55
1152½	Dec'r. 12, 1859...	80 50	.....	80 50	40 25	40 25
1054	Dec'r. 12, 1859...	81 00	.....	81 00	36 00	45 00
1132¼	Dec'r. 23, 1859...	3 00	.....	3 00	3 00	.....
Total,		\$39,176 77	.....	\$4,535 55	\$8,422 90	\$1,112 65
		\$39,176 77	\$39,641 22	\$39,176 77	\$12,693 83	\$25,482 94

*See Table of Unpaid Accounts, showing part unpaid.

Accounts audited by the Secretary of State and unpaid.

No. Voucher.	Date of Auditing.	Am't Charged.	Am't Allowed.	Amount due as per Contract.	Excess Allowed.	Am't due for adv. School & Univ. Lands computing each description at 60 cts. each.
[977	Nov. 16, 1859	\$ 69 20	\$ 69 20	\$33 10	\$36 10	.....
979	Nov. 21, "	2,304 00	2,304 00	63 63	2,240 37	.....
1016	Dec. 30, "	16,134 06	16,134 06	1,105 65	15,028 41	.....
*947	Oct. 15, "	69 40	69 40	40 65	28 75	.....
903	Oct. 15, "	750 00	750 00	000 00	750 00	.....
1053	Dec. 23, "	19,618 20	9,809 10	.....	7,484 10	\$2,325 00
1113	Dec. 23, "	17,984 40	8,992 20	.....	6,851 20	2,141 00
1132	Dec. 29, "	1,264 20	634 20	.....	483 70	150 59
Total,		58,193 46	33,762 16	1,243 03	32,902 63	4,616 50

* Balance of Voucher 947 unpaid.

The foregoing tables show that the contractor has received an account of public printing and advertising, from February 25th, 1859, to January 1st, 1860, inclusive, \$38,176 77,—that the entire work of the year, for which accounts had been rendered, if computed at contract prices, as we understand the contract, by giving it as liberal a construction as its plain and literal terms will justify, and adding to the State Printing proper, the advertising, as we think is just, liberal and legal, amounts to \$18,553 86—showing that the contractor has already been overpaid \$19,623 44. The contractor has charged for work done as per vouchers, \$97,565 33, of this amount the ex Secretary of State and his deputy have audited \$76,938 93, and the Treasurer has paid \$38,176 77, leaving still unpaid \$38,762 16; of the amount already paid \$33,641 22 was countersigned by the State Comptroller, and \$3,422 90 was paid by the Treasurer, as audited by the Secretary, after the discontinuance of the Comptroller's office.

The amount paid, in excess of contract prices, on the certificate of the Secretary, countersigned by the Comptroller, is \$24,370 29. The amount of excess paid by the Treasurer, are the accounts audited by the Secretary, after the Comptroller's office was abolished, is \$1,112 65, making the aggregate excess paid \$25,482 94. The Treasurer paid all audited accounts which were countersigned by the Comptroller, and he continued to pay on the auditing of the Secretary after the office of the Comptroller was abolished, until he became convinced that accounts were audited in flagrant violation of the contract, which he, as one of the commissioners, had assisted

king, when, upon orders received from a majority of the commissioners of printing, he took the responsibility of refusing to print and abiding the decision of the courts.

the audited accounts now in the Treasurer's office, \$38,359 53 is properly charged, leaving \$32,902 68, we consider an unjust claim. Add to this last amount paid, and we have an aggregate excess of \$58,385 57. In here is not the justification or consolation that the printer though he may have received more than his contract called for, nevertheless received no more than the work was worth.

we, your committee are aware that the most extravagant claims are made by the contractor and other interested parties on this point, all asserting and going to show that if their claims are all finally paid, the contractor will scarcely receive a living compensation for his labor and material. The test of the truth of all such assertions, is to be found in the other responsible parties offered to do the same work. The bid of B. E. Hale & Co., made at the time the contract was awarded, was a fair bid in all its features, and free from exceptional extravagances of some of the others. Every contractor contemplates a living remuneration for the work.

The work then, exclusive of advertising, for which the contractor has been audited \$56,088 50 and paid \$36,781 94 is the gross amount he has received; in the following table analyzed into all its parts, and accurately tested by the B. E. Hale & Co. And in this connection it is proper to remark, is included all the work that the contractor is obliged to do for nothing:

Bid of B. E. Hale & Co. as applied to the work audited and including the Laws, Journals, and Messages and Accompanying Documents.

<i>First Class.</i>			
Composition,.....ems	8,752,000	\$0 20	\$1,750 40
Press Work,.....tokens	4,854	28	1,359 12
Paper, (book work),.....quires	16,564	12	1,987 68
Paper for Bills, cap size and incidental jobs	6,549	12	785 88
Folding,.....sections	613,000	4	245 20
Stitching per 100 pamphlets,.....	93,000	48	448 40
<i>Second Class.</i>			
Composition,.....ems	7,100,000	20	1,420 00
Press Work,.....tokens	3,487	28	976 00
Paper, (book),.....quires	16,492	12	1,979 04
Folding,.....sections	798,900	4	319 56
Binding,.....paper	1,100	8	88 00
Binding,.....pasteboard	12,200	18	2,196 00
Binding,.....cloth	500	18	90 00
<i>Third Class.</i>			
Cap or Letter,.....quires	1,684	37	723 08
Flat Cap,.....quires	1,010	45	454 50
Folio Post,.....quires	41	50	20 50
Medium,.....quires	2,068	70	1,447 60
Blank Books,.....quires	66	1 82	120 12
			16,409 08

By this table it appears that all the work, for which the present contractor has been allowed \$56,088 50, and actually paid \$36,781 91 of the sum, Hale & Co. agreed to do for \$16,409 08; less than one-third the amount allowed to the present contractor, and less than one-half the sum he has actually received; yet no disinterested judge would deny that their bid would "cover costs," and leave a fair profit.

In the following table is shown the work done for the five principal departments, requiring work in the third class, and over the ordering of which work each principal of the department has control; but which, it will be seen, has, in the offices of the Secretary of State, Bank Comptroller and Superintendent of Public Instruction, been largely delegated to deputies:

Departments.	Am't charged	Allowed on orders from deputies,	Allowed on orders from principals.	Full allowance.	Proper allowance per contract.	Excess allowed.
Secretary of State, ..	2,468 95	2,443 95	25 00	2,468 95	2,158 53	310 42
State Treasurer,....	227 00	.....	194 50	194 50	164 50	30 00
Bank Comptroller ..	1,954 60	419 30	1,522 70	1,942 00	831 25	1,110 75
Supt. Pub. Instruc..	3,926 70	1,452 10	2,406 60	3,858 70	915 88	2,943 32
Land Commissioners	1,092 70	.....	744 70	744 70	428 85	315 85
	9,669 95	4,315 35	4,893 50	9,208 85	4,498 51	4,710 34

In the printing orders from the office of the Secretary of State, we find that almost the entire portion was ordered by the deputy. The printing of envelopes, hereinafter alluded to, is partly chargeable to this department, viz: \$55 30 of the amount—half sheets, or less, were accepted as whole ones—which last remark applies to the auditing of nearly all the work ordered by the other departments.

The amount of excess paid and audited on printing ordered from the Bank Comptroller's office is \$1,110 75.

The excess in the printing for the School Land Commissioners is caused by auditing half-sheets, and less than half-sheets, as whole ones.

The excess audited for printing done for the State Treasurer is attributable to the same cause.

But in the department of the Superintendent of Public Instruction, your committee find the most unwarrantable use of the power of ordering printing vested in the principal of the department, apparently that the printer might obtain the largest amount of money for the least service rendered, of any ordering which has been brought to our notice.

The law provides that this officer shall transmit to each school district a copy of all amendments made each year to the school law. The amendments last year were all printed upon four pages—two leaves, common document size, on ordinary print paper. The ordering was given for 84 quires of medium blanks, on both sides, and audited at \$504. Nor was this all: to get this document to its destination 60 quires of medium en-

velopes were ordered printed, at an expense of \$180 more. Then again the Legislature of 1859 passed a Library law. The Superintendent of Public Instruction, without any law requiring it, proceeded to make "Remarks on Library Law," and ordered his views printed on 210 quires of medium blanks, on both sides, at \$6 per quire, amounting to \$1,260. This document being printed, it required 120 quires of "medium wrappers," costing \$360, in which to envelope it while going to its destination. Thus the "Remarks on the Library Law," in getting before the public through the agency of the Superintendent, absorb \$1,620 of the School Fund Income. In examining the orders for the above items of work, amounting as the audited account shows to \$2,804, we find the orders were all given by the Assistant Superintendent of Public Instruction, and each order is accompanied by the following peculiar certificate:

"I hereby certify that the paper used in executing the within order is necessarily of medium size—that being the size in which paper of this kind is almost invariably made."

Your committee cannot account for the ordering of these items of work, in this unusual manner, with a certificate attached, unlike anything connected with any other order for printing, on any ground of common honesty.

Your committee find that \$2,943 32 was audited for this department in excess of contract prices.

The whole number of envelopes and wrappers ordered printed by the Secretary of State and the Superintendent of Public Instruction was 236 quires, at a cost of \$596, or more than ten cents for each single envelope or wrapper. When it is remembered that the State, through the Superintendent of Public Property, answers all the demands of each department for envelopes, and all other stationery, and when the State pays the hire of clerks whose duty it is to give these envelopes their proper direction, your committee can find no excuse whatever for such a course of proceedings on the part of public servants. There is no provision whatever, either in the law or contract, for printing envelopes or wrappers.

The next item we call attention to is the advertising of the forfeited school, university and swamp lands. For this service \$33,950 80 was charged by the printer, who assumed that each description of land is a folio, and that there were 9,282 folios, which at \$4 20 per folio, would make the above sum. This account was audited at \$19,519 50. A majority of the Commissioners of School and University Lands, when the "copy" was given to the contractor, put their reasons on record for believing that the sum to be paid for the service should

not exceed fifty cents for each description, as is allowed by law to other papers, the Wisconsin Patriot not being an exception to the rule, for the reason that it is not a State paper, and for the additional reason that the commissioners had control over the matter to fix the price. If the construction which a majority of the school land commissioners put upon this work is correct, of which we have no doubt, then the contractor should have received \$4,655 50 instead of \$38,980 50, as was claimed.

The undersigned have been reminded that there is a large amount of work which the contractor has done for nothing. That it may be known how much is expended upon work of this kind, we have tested, by the bid of B. E. Hale & Co.—regarded by all as a fair bid—the full amount of such work, viz: the General and Local Laws, the Journals of the two Houses, the large pamphlet containing the Message and accompanying documents, and the blank books, and find the entire amount is \$6,985 58.

There are no other items of work which, by the terms of the law and the contract, the public Printer is bound to do for nothing.

The Reports for 1859, for which bills have not been rendered, are not greater in amount than the Reports of 1858, which were sent over to the contractor through the default of Calkins & Webb to fulfill their contract; hence the declaration made in the commencement of this report, that the work in question “embraces no more than the full amount naturally belonging to a year’s service.”

Among the paid accounts there are three items for printing the Governor’s Message and accompanying documents, which amount to \$6,318 79, which without question belong to the second class. That it was not doubted, or claimed differently, prior to Feb. 9, 1859, by the contractor, but on the contrary an admission was made by him that placed the work where your committee place it. On page 241, of Senate Journal for 1859, in speaking of the sum it cost to do a specified amount of State printing during the session of the Legislature, he said: “These figures apply exclusively to the State work during the session, and do not include the laws, journals and public documents, which I am obliged to do for nothing;” showing beyond a question that the idea of charging for the public documents was an after thought. Yet the charge for this document was subsequently made. That the auditing officers viewed it in the same light that the contractor did is evident from the fact, that when the original charge was made it was all embraced in one bill, and rejected by the auditing officers. The Attorney General was then appealed to, and he decided that the auditing officers

were right in refusing to audit the account. The claim was then withdrawn, and as appears by the vouchers before your committee, was afterwards divided into three different accounts, under three different dates, but all for the same identical work, and the entire amount of \$6,318 79, once rejected, was audited and paid. Your committee are at a loss to know how the auditing officers can justify such a course of action. At a late day in the session your committee were informed that there had been collusion between certain State officers and the contractor, or his assignee; but we have no time, just at the close of the session, to prosecute our examinations in this direction, as justice to the parties would require. The only testimony in regard to this matter which your committee have taken, is the following affidavit of Judge Hood, of this county:

STATE OF WISCONSIN, }
County of Dane, } ss.

Thomas Hood, of said County, being duly sworn, in answer to the question whether he knows on what terms Beriah Brown became last connected with the Wisconsin Patriot office, as sub-editor, says: "In the spring of the year A. D. 1859, I had a conversation with S. D. Carpenter, on the subject of his employing Beriah Brown in the office of the Wisconsin Patriot, in which conversation Carpenter said to me, as near as I can, now recollect, substantially this: that there was certain printing for some of the State Departments, that might or might not be done, or be authorized to be done by the Secretary of State; that by employing said Brown he could secure that printing, and would be able to realize a profit thereupon, much more than sufficient to pay said Brown the wages he was to pay him for the time he should remain in his employ. I think Carpenter told me he was to pay him at the rate of two thousand dollars per annum."

THOS. HOOD.

Subscribed and sworn before me, this 20th day of March, A. D. 1860.

A. E. BOVAY,

Member of Joint Com. of Investigation.

Your committee are not unaware of the various pleas and reasons urged to justify the action of the auditing officers, and even still more culpable construction of the contract, but they do not deem them worthy of more extended notice. When it appears clearly what the commissioners designed; when it appears that the contractor understood their designs, accepted the contract and acquiesced in it on that understanding, no plea nor claim changing that understanding, and, really, the contract, should have a particle of weight, unless it plainly ap-

peared that the contract was not possibly susceptible of the construction given to it, and did, positively and unquestionable, command and require the construction which the contractor demands for it. This question, then, arises: Is the contract not susceptible of the construction put upon it, and understood by all parties when it was entered into? Plainly no law, no language, no rule of the craft, no difficulty whatever interposes to prevent its having and maintaining the construction given. Why, then, should it not maintain that construction? Why then should we *change* or attempt to *change* it? Does any rule of law demand that it *shall* or *must* take the construction which the contractor demands? If so, then it ceases to be the *lowest* bid, and becomes the *highest*. In that case, the commissioners erred in their duty, and violated both the constitution and the law in letting it; the contract ceases and becomes void for want of authority, and the printer should legitimately have only a fair compensation for the work done, which he has already had, more than twice over, and is entitled to nothing further at the hands of the Legislature.

Never was a more impudent claim preferred, it seems to your committee, than this demand of the contractor for public printing, that a contract which he entered into as the *lowest* of the eight bids before the commissioners, he should now be permitted to figure a hundred per cent., nearly, higher than the *highest*,—an impudence which is very naturally accompanied with the threat that this contract with the public printer really involves a quarter of a million of dollars for the contractor out of the Treasury. And this threat reveals the whole character of all this effort to change the meaning and character of this contract. It may be changed to a quarter of a million, or a million, either, as easily as it has been changed from \$18,000 to \$76,000; and it is just as incumbent on the State and auditing officers to accept the plea which makes it a quarter of a million, as those which have already made it \$76,000. They are all *after-thoughts*, subterfuges designed to obtain money from the Treasury, worth not a moment's thought, and which should not be for a moment yielded to.

BANK COMPTROLLER.

Your Committee having thoroughly examined the books, papers, certificates, receipts and funds in the office of the Bank Comptroller submit the following, as a brief exhibit of the result of their labors in this Department.

The whole number of Banks in the State on the 2d day of January, 1860, was one hundred and eight; of which number

eighty-nine were doing business and nineteen were in process of winding up.

The total capital, on that day, of the eighty-nine banks doing business, was.....	\$7,670,000 00
Their total circulation was.....	4,476,231 00
Showing a diminution in the banking capital of the State in past year of.....	105 00
And a decrease of the Banking circulation within the same period of.....	14,163 00
The above circulation was secured by stocks of various kinds, deposited with the State Treasurer, the par value of which in the aggregate, was.....	4,975,120 00
And their actual or estimated value, on that day, was.....	4,456,794 00
In addition to these stock securities, the Comptroller's books show that he had in his possession, on the same day, specie belonging to the banks doing business (see Statement "C," herewith submitted) the sum of.....	25,241 50
Showing an excess of stock, at their estimated value, and specie, over circulation, amounting in the aggregate to.....	5,804 50
The circulation, on that day, of the nineteen banks winding up, (see Statement "D," herewith submitted) was.....	133,201 00
This circulation was, according to the requirements of the law, fully secured by a deposit of specie, with which the bills of such banks are redeemed by the Comptroller, whenever presented, amounting, as appears by the books, (see same Statement) to.....	133,204 00
Showing a total of specie on deposit, belonging to banks doing business, and to banks winding up, of.....	158,445 50

Your Committee have no doubt whatever that the foregoing figures are, in all respects correct, provided certificates of deposit and bankers receipts are to be deemed and taken to be "specie."

The examination of the Committee into the affairs of this department was completed on the 24th day of February, at which time, according to the books, there was of specie in the vaults, the sum (see Statement "E," herewith submitted) of.....	164,948 00
And it was in the following form—of actual coin there was found to be the sum of.....	25,000 00
Two letters from the Cashier of the Bank of North America, in the city of New York, acknowledging the receipt of stocks which had been sold and placed to the credit of the Bank Comptroller, amounting, in the aggregate, to the item mentioned in said Statement "E," of.....	37,206 50
Certificates of deposit, as mentioned, and two not mentioned, in said Statement, making altogether, of coin, letters of acknowledgment, and certificates of deposit, the aforesaid sum of.....	164,948 00

Statement "F," (herewith submitted) exhibits the same aggregate as Statement "E," and it also exhibits the items that make up that aggregate, and the several banks which are credited with those items respectively.

Statement G., (herewith submitted,) shows the whole amount of stocks deposited as security by Wisconsin Banks, the different kind of stocks, the par value and estimated value of each

kind, and the total par and estimated values of the several kinds, on the 2d day of January.

Statement H., (herewith submitted,) exhibits the stock sales of these several kinds of stocks, for the six months previous to the 1st of January, 1860, in the city of New York; and it is from averages obtained from this statement that the estimated value of stocks mentioned in this report is obtained.

Your committee would call particular attention to the facts contained in statement J., herewith submitted.

From that statement it appears—and your committee have no doubt of its entire correctness—that fifty-one banks, doing business in this State, whose names are therein mentioned, being over one-half the whole number in the State, exclusive of those which are in process of winding up, have an excess of circulation over their cash and stock deposits amounting in the aggregate to the sum of \$16,448. In the case of any single bank the excess is small; it reaching in two instances, and only two, to the sum of \$850, and in some instances being less than \$20.

But the fact that so large a majority of our banks have an excess, however small of circulation over securities, your committee considers one of considerable import; and, taken in connection with the further fact contained in statement G., where it appears that over forty per cent of our present banking basis consists of Missouri “sixes,” it becomes, in our opinion, a matter of very grave importance.

It is no offset to say that, taking the whole number of banks doing business in the State, the aggregate of securities over circulation is considerable. It is admitted that thirty-eight of these banks have a fair excess of securities over circulation, but this excess is in no way to be credited or imputed to the still larger number which have an excess the other way.

For this condition of things, your committee are of the opinion that the law provides an ample remedy; and they are further of the opinion that this remedy ought to be speedily applied.

Your committee have discovered but one leakage in the present banking laws of the State, and that one is comparatively insignificant. As the law now is—or as it is construed—a bank winding up may at any time withdraw all its securities from the Treasurer, by depositing with the Comptroller cash equal to the amount of its outstanding circulation. This may be done at a time when its semi-annual tax is just about to fall due, and in that case the State, which had a lien on the securities for the tax, but has none on the cash, loses the tax.

In this way the State has lost by two banks during the past

year, the sum of \$1,125. The committee have already reported a bill designed to prevent such losses in future.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

The records in this office have been kept in a good business-like manner—613 copies of Webster's Unabridged Dictionaries, comprising the whole number on hand during the year 1859, have been distributed to school districts, in accordance with law. Fifty-nine appeals have been decided and recorded; 48 volumes have been added to the library of the office; over 2,300 letters have been received and answered during the year.

SUPERINTENDENT OF PUBLIC PROPERTY.

Every thing in this office has been conducted in a highly creditable manner. Vouchers for all disbursements of stationery have been carefully examined.

There was received during the year 1859, stationery amounting to \$12,120 48
Stationery disbursed in 1859, 6,863 70
Inventory since 1st of Jan., 1860, of amount on hand, 5,256 78

The disbursements to the several departments is as follows:

To the Legislature of 1859,	\$4,049 35
Republican State Convention,	16 73
Democratic State Convention,	21 97
State Board of Equalization,	98 15
Executive office,	198 94
Secretary's office,	783 92
State Treasurer,	248 70
Bank Comptroller,	309 51
State Comptroller,	30 50
Supreme Court,	290 16
Attorney General,	79 89
Supet. Public Instruction,	241 36
State Librarian,	28 77
Adjutant General,	11 66
State Land office,	330 30
Board of Regents of Normal Schools,	19 83
Supt. Public Property,	55 55
Miscellaneous,	70 86
Total,	\$6,863 70

Statement of the amount of Postage audited by the Secretary of State for the following departments, for the year 1859:

Executive,.....	\$825 05
Secretary of State,.....	1,242 48
Treasurer,	461 66
Bank Comptroller,	815 00
Supt. of Public Schools,	865 18
Attorney General,.....	140 47
Clerk of Supreme Court,.....	151 88
State Historical Society,.....	55 00
Superintendent of Public Property,.....	84 80
Total,.....	<u>\$3,590 97</u>

The salaries and clerk-hire for the office of Secretary of State for the year 1859, was.....	\$7,321 97
State Treasurer,.....	2,983 00
Bank Comptroller,	7,484 72
State Land Bureau,.....	13,650 51
Supt. of Public Instruction,.....	3,600 00
Supt. of Public Property,.....	1,000 00
Total,.....	<u>\$35,090 20</u>

In conclusion, your committee take pleasure in saying that they have been materially aided in their examinations by the uniform courtesy, the ready suggestions, and the help cheerfully rendered, of all the officers and their assistants in the several departments.

M. M. DAVIS, *of the Senate.*

A. E. BOVAY, *of the Assembly.*

The undersigned, a member of the joint committee of Investigation, deems it his duty to say that he has been unable to give that attention to the doings of the committee that he feels the importance of the matters the law commits to their hands demands.

It is out of the power of any committee of the Legislature during the session thereof, to make a personal examination of all the matters that the Investigating committee are directed to inquire into, without in a great measure abandoning their other legislative duties; and, having been placed on other important committees, the undersigned has, in much of the investigation, had no part.

So far as his knowledge extends, the report of the committee as read to him, has his hearty assent.

A. E. ELMORE, *of the Assembly.*

A.—LIST OF LOANS.

1869.	Names.	Amount.	Description.	Sec.	Town.	Range.	Acres.	Remarks.
June 22,	Jane & S D Powers	\$500 00	<i>Bad Ax County.—School Fund.</i> n hf se qr,....	14	11	7	80	no record of title from United States.
Feb'y 4,	John Axtel,....	300 00	<i>Brown County.—School Fund.</i> ne qr,.....	10	24	23	180	land in Kewaunee county.
Nov. 2,	D. Cooper Ayers,	188 00	se qr nw qr,.....	30	24	23	40	{ no record of title from U. S. and land in Kewaunee county.
Apr. 12,	Jesse Bennett,...	368 00	<i>Buffalo County.—School Fund.</i> sw qr se qr and e hf sw qr,.....	11	19	11	120	note signed in blank.
Dec. 29,	Andrew Baertsch,	300 00	n hf sw qr,.....	34	12	11	80	
Jan. 31,	B. F. Everett,....	400 00	<i>Columbia County.—School Fund.</i> e hf ne qr,.....	3	10	10	80	J. Calahan, mortgagor. only one appraiser. John Hagan and wife, mortgagors
Apr. 6,	John R. Jones,...	250 00	w hf of nw qr,.....	8	12	12	80	
Mar. 26,	Owen J. Owens,...	250 00	nw qr of sw qr,.....	15	12	8	40	
July 15,	Michael Calahan,	200 00	w hf ne qr,.....	22	13	7	80	
July 15,	Lyman Elmore,...	180 00	sw qr ne qr,.....	35	13	8	40	
Oct. 5,	Francis Hagan,...	350 00	ne qr nw qr,.....	32	13	9	40	
Nov. 14,	Thos. P. Sweetser,	127 00	sf sw qr and the und. hf of the se qr se qr	21	10	10	40	note signed in blank.
Dec. 26,	S. N. Small,.....	500 00	undivided 1-8 part of lot 3,.....	9	12	9	.....
	Sewell W. Abbott,	500 00	e hf w hf nw qr and ne qr nw qr of lot 33 and the e hf of the following sw qr of sw qr, (for full description see mortgage.)	.....	.....	.....	.....
Dec. 30,	Thos. Christopher	350 00	und. hf of the following, lots 6 and 7, in blk 269, in the city of Portage,.....	.....	.....	.....	.....
Dec. 30,	Thos. Christopher	100 00	lot 16, in blk 245, in the city of Portage,.....	.....	.....	.....	.....

Feb. 17.	Bryan Traynor,...	400 00 e hf nw qr,.....	Dodge County.—School Fund.	10 9 15 80	judgment against the mortgagor. only one appraiser.
Mar. 7.	Jacob Englehart,	130 00 sw qr of the sw qr,....		11 10 15 40	
May 11.	Benj. Ferguson,...	1,200 00 w hf nw qr and the sw qr ne qr,....	University Fund.	23 13 33 120	
May 11.	Martin & Elmore,	300 00 62 acres on the west side of the w qr of se qr		21 11 15 62	
Jan. 8.	Du Ray Hunt,...	350 00 lot No. 17 in Hoyt's sub-division to out lot No. 8 and lot No. 2, and 47 links off the west sid of lot No. 3, in blk No. 1, univ. addition to the city of Madison,.....	Dane County.—School Fund.	26 11 13 80	land in Dodge county. land in Sauk county. land in Jefferson county. { no title except such as is acquired through a tax deed, land in Iowa county. { clerk of court does not mention Smead's name in his certificate.
Jan. 19.	F. A. Scofield,...	400 00 e hf nw qr,.....		18 13 4 80	
Jan. 19.	F. A. Scofield,...	400 00 w hf sw qr,.....		22 9 13 40	
Jan. 19.	F. A. Scofield,...	250 00 w hf of e hf ne qr,.....		12 4 1 80	
Jan. 19.	James Morrison,...	400 00 e hf se qr,.....		11 18 8 80	{ No. abstract of title from the register of deeds of La Fayette Co. in which one piece lies, mortgage not recorded in Iowa county. land in Richland county. { No. certificate from the clerk of board of supervisors.
Jan. 28.	J. F. Randolph,...	125 00 sw qr of ne qr and se qr nw qr,.....		23 8 12 80	
Jan. 28.	Wakeley & Tenney	300 00 nw qr of sw qr and ne qr of sw qr,.....		16 7 10 80	
Feb. 17.	Ansel Felton,....	459 00 n hf ne qr,.....		12 9 8 80	
Jan. 13.	John A. Byrne,...	400 00 sw qr ne qr,.....		24 6 1 5	
Jan. 19.	John A. Byrne,...	365 00 s hf sw qr of sec. 13, and n hf nw qr (Iowa county,) also lot or fraction No. 15 in...		1 9 7 40	
May 30.	L. H. Waterbury,	250 00 nw qr ne qr,.....		1 9 7 60	
July 13.	L. H. Waterbury,	250 00 sw qr ne qr and n hf of sw qr of the se qr,...		9 9 2 80	
Nov. 16.	Joseph C. Ford,...	200 00 se qr ne qr sec. 8, and the sw qr of nw qr,...		20 10 10 120	
Nov. 14.	Simeon P. White,	127 00 n hf sw qr of sec. 21, and the und hf se qr se qr		30 6 16 75	
Aug. 1.	Gabriel Bjernson,	400 00 n hf sw qr,.....		150 00 lot No. 9, in blk 127 in the city of Madison,.....	
Dec. 3.	Cath'n Myers,...	150 00 lot No. 9, in blk 127 in the city of Madison,.....			

A.—List of Loans—continued.

1869.	Names.	Amount.	Description.	Sec. No.	Acres.	Remarks.
Jan'y 4,	Wakeley & Tenney	\$200 00	<i>Dane County.—School Fund—continued.</i> w hf ne qr of sec. 18, and sw qr of nw qr and nw qr of nw qr and nw qr sw qr of sec. 19, nw qr se qr sw qr of ne qr of sec. 30, all in.....	5 12		
			and the n hf se qr of.....	3 5 10		
			and the e hf ne qr.....	13 6 10		
June 15,	Louisa Randall,...	500 00	<i>Eau Claire County.—School Fund.</i> s hf ne qr and n hf se qr.....	5 26	7 180	
Aug. 26,	Charles M. Goss,	200 00	e hf se qr and se qr ne qr.....	14 28	9 120	
Mar. 31,	John B. Morey,...	300 00	<i>Fond du Lac County.—School Fund.</i> sw qr of the nw qr.....	35 14	16 40	
Dec. 19,	G. W. Mitchell,...	200 00	lots 4, 5, 6 and 13, in Grants and Mitchell's addition to the village of Ripon,.....			Only one appraiser
Jan'y 4,	John Sutherland,	300 00	<i>Green County.—School Fund.</i> ne qr ne qr.....	34 3	8 40	
Feb. 4,	John Kumber,...	500 00	<i>Grant County.—School Fund.</i> nw qr,.....	13 4	3 160	No record of title from U. States.
Jan. 28,	Chas. A. Mather,	158 00	<i>Green Lake County.—School Fund.</i> n hf se qr, and the sw qr se qr,.....	4 18	12 120	No certificate of the clerk of the board of supervisors as to the first mentioned six acres.
Dec. 28,	Wm. Stewart,...	225 00	commencing at se corner of nw qr of.... thence n 40 r, thence w 24 r, thence s 40 r, thence e 24 r, to place of beginning, containing 6 acres; also lot 11, b'y 4 of the original plat of Berlin,	3 17	13	

<i>Iowa County—School Fund.</i>									
March 4.	Henry Patterson,...	420 25	the e $\frac{1}{2}$ of the ne qr	21	8	4	100		
July 16.	M. S. Ilman,...	500 00	w hf ne qr and the ne qr	2	4	2	117		M. M. Strong, mortgagor.
Sept. 3.	Margaret Lloyd,...	250 00	e hf sw qr	28	8	4	80		No record of title from U. States.
Sept. 26.	F. A. Nelson,...	360 00	se qr se qr and the ne qr	14	8	4			No record of title from U. States.
Nov. 28.	L. S. Whittlesey,...	500 00	lots 3, 5, and 9, in block 12, in Strong and others addition to Mineral Point	23	8	4			No record of deed of partition to J. D. Doty, through whom Whittlesey obtained his title.
Dec. 6.	M. B. McSherry,...	500 00	outlot No. 129, in Harrison's survey of the city of Mineral Point						No record of title from U. States.
Dec. 29.	John Storgner,...	200 00	nw qr ne qr, ne qr nw qr, and w hf nw qr	23	6	5	160		No record of title from U. States.
Dec. 19.	El'n B. McSherry	100 00	lot No. 130, in Harrison's Survey of Mineral Point	14	8	4			M. B. McSherry, no evidence of title in mortgagor.
Mar. 19.	N. W. Dean,.....	350 00	se qr ne qr, and s hf sw qr of ne qr	1	4	1	60		No title papers found.
<i>Jefferson County—School Fund.</i>									
Mar. 5.	Geo. Silverthorn,...	363 00	s hf se qr	16	6	13	80		
Aug. 26.	O. S. Brandon,...	266 66	lots 1 & 2, in blk 18, in the village of Jefferson, and lots 2 & 3 in block 3, in Sanborn's add. to Jefferson						
Oct'r. 3.	Geo. Hibbard,...	500 00	e hf s hf ne qr & e hf of lot 1 on the right bank of Rock River	14	7	14	65		
	Jane Dageraty,...	500 00	w hf se qr	1	4	1	80		
	S. N. Small,	400 00	lot 3 and sw qr of se fr qr	35	5	15	13		
	.....do.....	250 00	e hf w hf ne qr	22	9	13			
	.....do.....	300 00	n hf se qr	7	9	14	80		
	Carl Schurz,.....	300 00	lot No. 14, cont. 1 a. excl. st. in blk No. 19 in J. W. Cole's addition to Watertown						No app. and cer. from Clk of Board
<i>Juneau County—School Fund.</i>									
May 9.	S. N. Small,.....	170 00	se qr nw qr & s hf se qr & e hf sw qr	10	16	4	200		
<i>Juneau County—University Fund.</i>									
..	S. H. West,.....	300 00	e hf ne qr	14	17	4	80		

A.—List of Loans—continued.

1859.	Names.	Amount.	Description.	Co. Town.	Range.	Acres.	Remarks.
Mar. 28.	John Wheldon,...	240 00	sw qr of sw qr.....	27 17	5	40	
Feb. 21.	John M. Barlow,...	500 00	w hf of se qr.....	10 16	7	80	
June 20.	Harriet T. Smith,	375 00	und hf of e hf ne qr, nw qr ne qr.....	29 15	7	120	
June 15.	Sarah W. Rublee,	500 00	sw qr nw qr and nw qr sw qr.....	8 16	6	80	
Mar. 2..	C. W. Marshall,.	400 00	e hf sw qr and w hf se qr.....	21 19	5	160	Land in Jackson county.
April 25.	F. & L. Burgess,.	400 00	ne qr se qr and se qr ne qr of sec. 33 and sw qr of nw qr, e hf nw qr, and nw qr ne qr of sec 34, & und hf of w hf nw qr 30	30	4	265.50	
Nov. 27.	Owen Meighan,...	500 00	se qr se qr.....	28			
			se qr ne qr.....	35			
			sw qr nw qr.....	36	4	120	
Mar. 21.	William S. Wells,	450 00	w hf of lot 3 blk 230, and lot 3 blk 326, village of Manitowoc,.....	13 18 23			Certificate of the Clerk Court does not give names of all the grantors
	S. N. Small,.....	120 00	se qr ne qr.....	13 18 23			Only one appraiser and no record of title from U. S. and the title come through a tax deed.
	S. N. Small,...	500 00	sw qr . . .	28 20 24	160		
April 27.	L. Binkelman,...	200 00	lot No. 6, in blk 265, Manitowoc,.....	31 18 23		40	No record of title from U. S.
May 27.	Sarah B. Dunn,.	300 00	ne qr se qr.....	31 18 23			
Aug. 6..	Charles Roesser,.	250 00	n fr (or lot 2) of se qr.....	7 18 24			

Aug. 17, Geo. Reed,.....	500 00 se qr,	36 20 20	160	land in Calumet county.
Sept. 4, Chas. Pizzula,...	120 00 nw qr of ne qr,	35 19 23	40	
Jan. 15, E. R. Harris,....	<i>Monroe County—School Fund.</i>			
Mch. 28, O. P. McClure,...	125 00 ne qr sw qr and nw qr se qr,	11 17 1	80	
Mch. 28, Chas. D. Bradley,	500 00 sw qr ne qr and se qr nw qr,	28 18 3	80	
Nov. 17, E. H. Anderson,...	125 00 se qr sw qr and sw qr se qr,	11 17 1	80	
	400 00 e hf ne qr, sec. 7, w hf nw qr, e hf sw qr, nw qr sw qr, sec. 8, and the ne qr nw qr of sec. 17,	19 2	320	
Dec. 7, M. R. Gage,....	200 00 lot 6, bl'k 3, lot 17, bl'k 6, village of Sparta	...	...
Dec. 21, Chas. Cole,.....	400 00 nw qr ne qr and ne qr nw qr,	33 17 2	80	no record of title from U. States.
Jan. 21, Alden Crans,....	120 00 w hf sw qr,	10 17 1	80	
Feb. 28, William Davidson	<i>Marquette County—School Fund.</i>			
May 9, Bradford Welch,...	300 00 n hf se qr,	16 16 9	40	only one appraiser.
May 9, R. Ethridge,	311 15 lots 7, 8, 9 and 10, in block 2, Montello, ..	...	...
Oct. 6, Elanah K. Smith,	500 00 lots 1 and 2, except a strip 45 feet wide across the south side, and se qr nw qr, ..	23 15 9	140 37	
Oct. 6, Elanah K. Smith,	200 00 nw qr ne qr,	33 16 9	40	
Oct. 6, Frank Hyde,	300 00 e hf of w hf of nw qr,	29 16 9	40	{ one of the appraisers is a justice of the peace.
	300 00 se qr nw qr,	20 15 9	40	
Mch. 9, Eph'r'm Marriner,	<i>Milwaukee County—School Fund.</i>			
	500 00 ne qr nw qr, sec. 22, nw qr ne qr, and se qr se qr and a hf se qr, sec. 26, and s hf sw qr, sec. 15, nw qr nw qr, sec. 22, ne qr ne qr, sec. 21, .....	...	...	{ land lies in Sank county. No ap- praisal, but an affidavit of Mr. Flanders.
April 25, J. H. Cordus,....	500 00 the s 20 feet of lot 2, in block 37, in the 3d ward of Milwaukee, .....	...	...
Mch. 19, Thos. Hislop,....	324 00 n hf lot 8,	16 7 22	2 98	no certificate clerk circuit court. no certificate clerk b'd supervisors.
July 30, M. H. Scofield, ..	<i>Outagamie County—School Fund</i>			
	500 00 sw qr,	8 28 15	160	

A.—List of Loans—continued.

1859.	Names.	Amount.	Description.	Sec.	Range.	Acres.	Remarks.
March 9.	William Payne,...	\$100 00	<i>Ozaukee County.—School Fund.</i> und hf of lots 31, 32, 33 and 34, blk 7, and lots 20, 21, 22, 23, 24, 25 and 26, blk 8, in the ne addition to Port Washington,	8	10 21	.....	{ no record of title from U. States. judgm't lien on said land \$1,237 11 { no record of title from U. States, and no appraisal.
May 6,...	F. W. Horn,	200 00	3 acres of land in e hf se qr,	8	10 21	.....
Dec. 31,...	Chas. G. Miller,...	200 00	19 acres of land in nw qr sw qr,	9	10 21	.....
		200 00	s hf w hf nw qr,	27	9 21	40	
Feb. 26,...	Jas. M. Bailey, ..	450 00	<i>Pierce County.—School Fund.</i> sw qr nw qr, sec 2, and e hf ne qr, sec 3,...	24	18	120	
March 6, July 15,	Andrew O. Brown Geo. W. Gate, ...	250 00 300 00	<i>Portage County.—School Fund.</i> sw qr se qr and s hf nw qr,	20	23	8	120
			und hf ne qr se qr nw qr se qr, ne qr sw qr and sw qr ne qr, ne qr nw qr,	28	24	8	200
Feb. 7,...	H. W. Walbridge,	250 00	<i>Portage County.—Drainage Fund.</i> sw fr qr,	19	22	7	104
Jan. 26,...	Edwin Case,	200 00	<i>Rock County.—School Fund.</i> se qr nw qr,	29	4 11	80	
Feb. 4,...	D. H. Babbitt, ...	236 00	lot 4,	20	4 12	50	
Feb. 27,...	John Jones, ...	200 00	e hf sw qr,	9	3 12	90	
March 9,...	Chas. B. Ellis, ...	200 00	nw qr se qr,	1	13 18	.....	no record of title in the mortgagor.
	S. N. Small, ...	500 00	sw qr ne qr,	4	4 12	40	
April 19,	Ann McDonald,...	250 00	<i>Racine County.—School Fund.</i> lots 9, 11 and 12 sw qr,	18	15	2	no appraisal.
			nw qr nw qr,	86	15	4	no certificate of clerk of the board
			nw qr sw qr,	3	16	4	

May 11, James Yates,....	\$500 00 n hf ne qr,.....	25 3 21	74	land in Kewaunee county. { no record that E. Colvin, grantor to L. Defour, had any title to land.
Sept. 21, M. I. Sprague,...	300 00 nw qr,.....	35 22 24	160	
Oct. 10, Lawrence Dufour,	200 00 w hf a hf, blk 45, city of Racine,.....	.....	.....
Nov. 12, S. F. Heath,.....	300 00 blk 86, sec 16, Racine,.....	.....	.....
Dec. 28, Albert Hartshorn,	500 00 lots 11 and 12, blk 27, city of Racine,.....	.....	.....
Sept. 18, Alfred Payne, ...	500 00 commencing at nw qr nw qr, thence south on sec line 18 67-100 chains, to the centre of the late laid out road from the house occupied by W. H. Roe, to Kenzie's mills, thence east, along the centre of the said road, 1 6-100 chains, thence north to the nrth line of said sect'n, thence wst 1 chn 6 1/2 links, to the place of beginning; con- taining two acres. Also, part of the ne qr, sec 18, T 3, R 23, beginning in the east line of said qr, 20 35-100 chains nrth of the se corner of said qr, thence north 40° west 9 75-100 chains, in the centre of the road, thence north 3 50-100 ch'ns, thence northerly 63° east, about 78-100 chains, to the section line, thence south 13 63-100 chains, to the place of begin- ning, containing 6 acres,.....	.....	.....
Nov. 12, Julius Wooster,...	500 00 lot 9, blk 2, sec 16, as returned by the ap- praisers of school and university lands to the office of Secretary of State,	17 3 23	.....
Mar. 10, H. E. Hubbard, ..	280 00 sw qr ne qr,.....	8 4 22	40	no appraisal.
R. W. Smith, ...	200 00 w hf e hf sw qr,.....	15 3 22	.....
Aug. 16, Asa McCollum, ..	200 00 se qr nw qr and sw qr ne qr,.....	8 9 2	80	
Dec. 17, David B. Young,	350 00 fraction 4, <i>Richland County.—School Fund.</i> <i>Richland County.—University Fund</i>	86 9 1	62	no record of title from U. S.

A.—List of Loans—continued.

[1859.	Names.	Amount.	Description.	Town.	Range.	Acres.	Remarks.
			<i>Sauk County.—School Fund.</i>				
Dec. 4,	S. N. Small,....	\$400 00	e hf of nw qr,.....	16 12	5	80	
Jan. 4,	John Miles,....	100 00	e hf of e hf of ne qr,.....	10 12	4	10	
Jan. 4,	M. Carmichael,...	250 00	nw qr of sw qr,.....	29 11	6	40	
Feb. 2,	D. B. & E. Ridd,...	200 00	nw qr of sw qr, and w hf ne qr of sw qr,.....	21 12	4	60	
Aug. 10,	Susan H. Scofield,...	500 00	n hf of ne qr, sw qr of ne qr, & s hf of se qr,.....	16 13	2	160	no record of title from the U. States.
Sept. 12,	Henry Jacobs,...	250 00	sw qr of sw qr,.....	29 11	6	40	
Nov. 22,	Hiram Miller,....	250 00	e hf of nw qr,.....	6 9	6	84.22	{ no record of title from U. States, & Mary A. Miller, mortgagor.
Nov. 22,	Hiram Miller,....	250 00	w hf of nw qr,.....	6 9	6	77	{ no record of title from U. States, & Mary A. Miller, mortgagor.
Feb. 4,	James B. Bradford	300 00	se qr of nw qr,.....	31 10	6	40	{ no record of title from U. States, & Mary A. Miller, mortgagor.
Jan. 31,	Henry Otten,....	500 00	n 90 ft. of lots 1 and 2, in blk 154, Sheboygan,.....				{ no record of title from U. States, & no note or mortgage.
Mar. 15,	Samuel D. Gault,	250 00	commencing at the nw corner of e hf nw qr of.....	30 15	21	.....
			running thence e 54 rods, thence s 11 rods, thence w 15 rods, thence s 149 rods, thence w 39 rods, thence n 160 rods to the place of beginning,.....				
Aug. 11,	Fred. Joerna,....	300 00	se qr of ne qr, and n hf sw qr of ne qr,.....	4 14	21	60	
Mar. 8,	James Baldwin,	450 50	w hf of ne qr,.....	18 15	21	80	
			<i>St. Croix County.—School Fund.</i>				
Jan. 21,	Wm. H. Gleason,	250 00	se qr of se qr, and sw qr of se qr,.....	8 29	19	80	mortgage not found.
Jan. 21,	Wm. H. Gleason,	200 00	s hf of se qr,.....	9 28	19	80	mortgage not found.
Aug. 26,	Chas. C. Leeds,...	500 00	nw qr of ne qr,.....	2 29	19	40	no record of title from U. States.

<i>Waukesha County.—School Fund.</i>									
May 27,	W. A. Vanderpool	500 00	sw qr of sw qr,.....	9	5	19	40		
Dec. 17,	E. L. Bovee,...	350 00	se qr of se qr,.....	16	5	17	40		
	A. L. Castleman,	500 00	ne qr of sw qr,.....	19	7	18	80		no abstract of title.
April 9,	Geo. C. Pratt,...	480 00	That part of the se qr of se qr described as follows: commencing 6 rods east of the sw corner of said lot, and running thence north 20 chains, thence east 15 chains and 50 links, thence south 8 chains 30 links to the M. & M. R. R., thence south westerly along the line of said R. R. 19 chains, thence west 3 chains 50 links to the place of beginning,.....	4	6	4			
May 26,	Finley Fraser,...	200 00	ne qr of se qr,.....	14	5	19	40		mortgage calls for \$300.
Aug. 1,	F. C. Dousman,...	500 00	All that part of the sw qr bounded as follows: commencing at the 8th cor. stake on the south line of said sw qr, running thence east on the south line of said sec. 3, 7 chains and 50 links, thence north 2° 15, east, 7 chains 50 links to stake, thence west and parallel with the south line of sec. 3, 14 chains 94 links to stake, thence due south 7 chains 50 links to section line, thence east on said section line 7 chains 8 links to the place of beginning, containing 11 7-100 acres of land,.....	3	6	19			
<i>Waushara County.—School Fund.</i>									
Jan. 18,	Lewis Blake,....	200 00	w hf of nw qr,.....	23	19	10	80		
Jan. 13,	Lewis Blake,....	200 00	se qr of ne qr and n hf ne qr se qr,....	5	20	8	60		
Jan. 23,	Betsy Jones,...	300 00	sw qr of sw qr,.....	13	20	9	40		
April 9,	D. B. Wheeler,...	250 00	ne hf of se qr,.....	24	20	8	80		
April 9,	C. M. Prutsman,...	400 00	n hf of ne qr sec. 25, and sw qr of se qr,....	24	20	8	120		
July 26,	Alex. Clark,....	400 00	n hf of se qr and se qr of se qr,.....	4	20	9	120		

A.—List of Loans—continued.

1859.	Names.	Amount.	Description.	Sec.	Town.	Range.	Acres.	Remarks.
Dec. 17.	John A. Bartram,	\$250 00	<i>Waukegan County.—School Fund—cont.</i>					
Dec. 15.	Milo S. Renaud,	400 00	e hf of nw qr,.....	20	19	9	80	
Dec. 20.	J. A. Price,.....	250 00	ne qr of sw qr sec. 12, and s hf of nw qr,	19	20	9	120	
Dec. 20.	Geo. H. Welch,...	500 00	s hf nw qr and ne qr of nw qr,.....	7	18	10	60	
				25	20	8	120	
Mar. 29.	J. B. Powers,....	450 00	<i>Winnebago County.—School Fund.</i>					
			Commencing at the sw corner of the nw qr of nw qr sec. 13, town 18, range 18, and running thence east 40 rods to land conveyed by W. R. Kennedy and others to Howard, thence north on the west line of said Havens' land 20 rods to land conveyed by said W. R. Kennedy and others to Mr. Otis, thence west on said Otis' south line 40 rods to Jackson st., thence south 20 rods to place of starting containing 5 acres; also commencing at a point 40 rods south of the nw corner of said sec. 13, town 18, range 16, in said section line, and at the nw corner of said Otis' land, and running thence east on the north line of said Otis' land 40 rods to land conveyed by W. R. Kennedy <i>et al</i> to J. L. Thorn; thence north on the west line of said Thorn's land 20 rods, thence west 40 rods to said Jackson st., thence south 20 rods to the place of starting;					

Feb. 28. July 18. Nov. 16.	Rich'd D. Harney, H. E. Gustavus, & I. J. Thing, W. Thayer,.....	500 00 lot 1 in the nw qr or north 31 acres,..... 500 00 nw qr..... 150 00 nw qr of sw qr.....	containing 5 acres, being a part of the nw qr of nw qr sec. 13, town 18, range 16, in the 4th ward of the city of Oshkosh,.....	16 17 17 14 19 16 20 19 17	31 160 40		
Dec. 15.	Curtis Reed,.....	500 00 e hf of se qr.....	.....	5 20 17	40	
Dec. 8. Nov. 17. June 25. Dec. 31.	Edwin A. Rowley, Patrick Arley,.... Michael Dolan,.... J. M. Ball,.....	250 00 lots 12, 13, 26, 27, & 28 Rowley's plat ne qr 24 13 16 125 00 e hf of nw qr..... 250 00 s hf and nw qr of se qr..... 500 00 lot No. 4, se qr of se qr..... also lot No. 1, in the ne qr.....	..... ..... ..... ..... .....	24 13 16 18 19 15 14 19 14 29 20 17 32 20 17	80 120	
Dec. 20.	Frank Leland,....	150 00	<i>Waiteorth County—School Fund.</i> Commencing 1½ feet north of the sw cor- ner of lot 8 in block 26, in the village of Elkhorn, thence south along the west line of lots 8 and 11, thirty-six ft., thence east and parallel with the north line of lot 11, one hundred feet, thence north thirty-six feet, thence west and parallel with the south line of lot 8, one hundred feet to the place of beginning.			31 2 16	40
Aug. 6. June 20.	L. L. Crounse,.... J. H. Dudley,....	150 00 ne qr of nw qr..... 500 00 Beginning at the 8th stake on the south line of se qr of.....	..... running thence west along the south line of said section east 63-100 chains, thence north 60° 7' W., thence 90-100th chains,	..... 19 2 16	

R. P. Eighme, mortgagor.

Prior mortgage of \$204, executed
by J. Armstrong, Dec. 6, 1859.
Jan. 15, 1859, Armstrong gave A.
Lydia Reed a quit claim deed,
consideration \$1.00, and the same
day Reed mortgaged to the State.

No certificate of Clerk of Board.

R. P. Eighme, mortgagor.

Prior mortgage of \$204, executed
by J. Armstrong, Dec. 6, 1858.
Jan. 15, 1859, Armstrong gave A.
Lydia Reed a quit claim deed,
consideration \$1.00, and the same
day Reed mortgaged to the State.

No certificate of Clerk of Board.

A.—List of Loans—continued.

1859.	Names.	Amount.	Description.	Dee	1 st	Hand	Acres.	Remarks.
			<i>Walworth County—School Fund—con.</i>					
			to the centre of the Delavan and Big Foot Road, thence north 29° 53' East, 18, 36-100ths chains, along the centre of said road, thence south 52° 35' East, 12 60-100ths chains to the 8th sec. line passing north and south through said se qr, thence south along said 8th section line to the place of beginning, containing 31 59-100ths acres.....					No mortgage found.
			<i>Waupaca County—School Fund.</i>					
July 2.	E. C. Sessions,...	300 00	sw qr of nw qr.....	9/21/11			46	
			and sw qr of ne qr.....	31/22/12			40	
Dec. 1.	Alvin Pope,.....	200 00	nw qr se qr and ne qr of sw qr ..	9/21/12			80	No mortgage found.
Dec. 1.	S. N. Small,.....	250 00	n hf of se qr.....	13/22/16			80	
Oct. 15.	Thomas Marshall,	500 00	e hf of ne qr.....	7/22/12			80	No note or mortgage found.
			<i>Drainage Fund</i>					
May 2.	Eliz. Waterhouse,	300 00	e hf of sw qr.....	32/21/11			80	
			<i>Washington County—School Fund.</i>					
Mar. 13.	Peter J. Shulties,	300 00	the und. hf nw qr.....	8/9/19			87	
Nov. 19.	George Beck,....	500 00	e hf of w hf of ne qr.....	28/12/20			40	
			<i>Wood County—School Fund.</i>					
Aug. 30.	And. Bakeman,...	200 00	e hf of nw qr.....	22/22/6			80	

Statement of the Amount of Loans for the year 1859.

School Fund,.....	\$53,608 06
University Fund,....	950 00
Drainage Fund,.....	1,450 00

B.

STATE OF WISCONSIN, }
Dane County, } ss.

William H. Watson, being duly sworn, deposes and says :

That he was the Private Secretary of the Governor in the year 1858, and as such had charge of the general business of the office ; that after Messrs. Calkins & Webb, the then State Printers, refused to print certain reports required for the use of the Legislature, the contract of the successful bidder for the State printing not being yet consummated, the said reports were sent to Messrs. Atwood & Rublee, to be printed, until the 7th day of December, when, as directed by the Governor, in the event that the bond of James Ross should be completed, a certain report was sent to the said James Ross to be printed. The manuscript was returned to the Executive office, with a note from Mr. Ross, of which the following is a copy :

“ OFFICE DAILY PATRIOT,

“ Madison, 7th Dec., 1858.

“ W. H. WATSON, ESQ.,

“ *Private Sec'y to the Governor :*

“ DEAR SIR : Your note of this date, accompanied by a portion of the annual Report of the Secretary of State, was handed me by a page from the Executive office. It being the opinion of the Attorney General, as well as my own counsel, that my contract is not legally entered into until my bond is *approved* by the Governor ; and therefore, by advice of counsel, I do not feel at liberty to accept the *work* sent *me* until my contract is legally consummated.

“ And I beg to remain,

“ Respectfully yours,

“ JAMES ROSS.”

Deponent further says, that afterwards, but whether or not upon the same day he does not recollect, he was called upon at the Executive office by Mr. S. D. Carpenter, who was understood to be the assignee of Ross' contract, and some conversation took place in regard to the refusal to print the reports ; that in this conversation Mr. Carpenter stated that he had no doubt that the Governor would, upon his return, endorse his approval upon the bond, but that it was not now fully consummated, and that the State printer could not be compelled to print anything under it. Mr. Carpenter further, in said con-

versation, gave deponent distinctly to understand that the work of printing the reports under Ross' contract, was such as would pay very little to the contractor, and that he should not undertake to do any work that would not pay until he was obliged to do so by the contract being fully consummated by the approval of the bond by the Governor.

The reports which came to the Executive office thereafter, until the said bond was approved by the Governor, were sent to Messrs. Atwood & Rublee to be printed. After the said approval, those which came in were sent to James Ross, and were printed by him.

W. H. WATSON.

Subscribed and sworn to before me, this 17th day of March, 1860.

M. M. DAVIS, *Ch'n Com.*

STATE OF WISCONSIN, }
County of Dane, } ss.

Samuel D. Hastings being first duly sworn deposes and says, that he was one of the "board of commissioners for letting contracts for the public printing," as provided by section 1, of chapter 114, of the General Laws of 1858; that said board of commissioners in accordance with the provisions of said chapter 114 of the General Laws of 1858, awarded the contract for doing the public printing for the State of Wisconsin to James Ross; that in accordance with the provisions of section 9, of said chapter 114, the said board of commissioners drew up an agreement between the State and said James Ross; that said contract or agreement was signed by said commissioners and said Ross on the 30th day of November, A. D. 1858, and left in charge of this affiant until the bond required by law to be filed should be so filed; that on the 6th day of December, A. D. 1858, said Ross left with this affiant, the required bond, which bond was at once filed in the office of the Secretary of State; that the law required the said bond to be approved by the Governor, but in consequence of his absence from the capital, the bond did not receive the written approval of the Governor until the 17th day of December, 1858; that the Governor, before leaving the capital, communicated to this affiant his views in relation to what kind of a bond would meet with his approval, and authorized this affiant to assure the contractor on the presentation of such a bond as described by the Governor, that it would be approved on the Governor's return, and that the contractor could at once commence doing such of the work

of the State as the law and the contract authorized him to do previous to the first day of January, 1859; that at the time Mr. Ross left the bond with this affiant, to-wit: on the 6th day of December, 1858, he stated to said Ross what had been said by the Governor in relation to the approval of the bond, and assured said Ross that he would run no risk whatever in commencing at once upon such work as he was authorized under the contract to do at that time; that said Ross appeared to be entirely satisfied, and that work was sent to him to do under his contract, some of which he did do previous to the 17th day of December, 1858, the day on which the Governor's approval was endorsed on the bond; that certain of the Annual Reports of the State Departments and public institutions were sent to the said contractor previous to the 17th day of December, 1858; and that the copy was returned, the contractor refusing to do the work at that time; that sometime between the 6th and 17th days of December, 1858, and *after* the annual reports above referred to had been sent to the contractor and the copy returned, the said James Ross called upon this affiant at his office, in the capitol, to explain to him, why he had declined to print the reports at that time; that in the course of his explanatory remarks, he stated he had been advised by counsel and by the Attorney General, that until the bond was actually approved by the Governor's own endorsement written upon it, he was not legally bound to do the work which had been sent to him, and as that was a part of the work which, under the contract, he had agreed to do for a price much below cost, he should decline doing it until he was legally bound to do it; that as soon as the bond was actually approved by the Governor, he would then do all the work which was sent to him, whether it paid or not; and that in the meantime, he would do such kinds of work as paid a fair compensation.

SAM'L D. HASTINGS.

Subscribed and sworn to before me this 17th day of March, 1860.

M. M. DAVIS, *Ch'n Com.*

C.

Statement of Specie in favor of Wisconsin Banks doing business, and where deposited, January 2, 1860:

Name of Bank.	Am't Specie.	Where deposited.
Bank of the Capital,	\$1,000 00	Comptroller.
Bank of Grant County,	170 00	do
Bank of Monroe,	700 00	do
Bank of Prairie du Chien,	750 00	do
Bank of Racine,	4,880 00	do
Brown County Bank,	1,200 00	Certificate Dep. on N. Y.
Fox River Bank,	4,112 00	do
Lumberman's Bank,	1,790 50	Comptroller.
Wisconsin Valley Bank,	2,000 00	do
Second Ward Bank, Milwaukee,	359 00	do
Wood County Bank,	7,000 00	do
Summit Bank,	780 00	do
Koshkonong Bank,	500 00	do
Total,	\$25,241 50	

D.

Statement of Wisconsin Banks winding up, the amount of Circulation and Specie, and where deposited, Jan. 2, 1860:

Name of Bank.	Circulation	Specie.	Where deposited.
Badger State Bank,	\$1,211	\$1,211	with Comptroller.
Bank of the City of La Crosse,	974	974	do
Bank of La Pointe,	49,420	49,420	do
City Bank of Racine,	9,259	9,259	do
Farmers Bank of Hudson,	1,197	1,197	do
German Bank,	26	26	do
Globe Bank,	285	285	do
Janesville City Bank,	1,698	1,698	do
Kankakee Bank,	1,165	1,165	do
Kokomo Bank,	14,730	14,730	do
Marathon County Bank,	2,990	2,990	do
Merchants Bank,	6,942	6,942	do
Merchants and Mechanics Bank,	25,082	25,082	do
Northern Wisconsin Bank,	6,545	6,545	do
Oshkosh City Bank,	109	109	do
Peoples Bank,	961	964	do
Producers Bank,	820	820	do
State Security Bank,	8,065	8,065	do
Union Bank,	2,272	2,272	do
Total,	\$138,201	\$138,204	

E.

MADISON, Feb. 24, 1860.

The specie balance on this day is	\$164,936 00
Of which there is in the vault	\$42,872 50
Balance in New York,	87,206 50
Chief Deposits—	
{ Merchants Bank,	3,292 00
{ Merchants & Mechanics Bank,	16,845 00
{ Bank of La Pointe,	27,000 00
{ Kokomo Bank,	8,648 00
{ Marathon County Bank,	2,170 00
State Bank,	1,405 00
{ Union Bank,	185 00
{ Oshkosh and Germania Banks,	892 00
{ Peoples Bank, ..	278 00
{ Producers Bank,	1,001 00
{ Badger State Bank,	4,950 00
{ State Security Bank,	203 00
{ Globe Bank,	734 00
{ Bank of the City of La Crosse, ..	864 00
{ Farmers Bank, Hudson,	1,367 00
Dane County Bank,	875 00
{ Janesville City Bank,	6,080 00
{ Kankakee Bank,	4,937 00
{ City Bank of Racine,	4,640 00
{ Brown County Bank,	
{ Northern Wisconsin Bank,	
	<u>\$164,948 00</u>

F.

Statement of the Specie held by Bank Comptroller on the 24th of February for the redemption of the Circulating Notes of the following Banks:

Badger State Bank,.....	\$1,001
Bank of City of La Crosse,.....	734
Bank of Grant County,.....	170
Bank of Jefferson,.....	9,780
Bank of Monroe,.....	700
Bank of Prairie du Chien,.....	750
Bank of Watertown,.....	1,700
Columbia County Bank,.....	2,400
Farmers Bank, Hudson,.....	864
Germania Bank,.....	26
Globe Bank,.....	208
Janesville City Bank,.....	1,367
Kankakee Bank,.....	875
Kokomo Bank,.....	8,643
Marathon County Bank,.....	2,170
Marine Bank,.....	8,371
Merchants Bank,.....	3,292
Monroe County Bank,.....	21,000
Oshkosh City Bank,.....	109
Peoples Bank,.....	892
Producers Bank,.....	273
Sauk County Bank,.....	18,200
Second Ward Bank,.....	256
State Security Bank,.....	4,950
Union Bank,.....	1,485
Walworth County Bank,.....	8,500
Wisconsin Valley Bank,.....	1,000
Koshkonong Bank,.....	500
Wood County Bank,.....	210
Lumbermans Bank,.....	750
City Bank of Racine,.....	6,080
Bank of Horicon,.....	30
Northern Wisconsin Bank,.....	4,040
Summit Bank,.....	522
Bank of La Pointe,.....	27,080
Bank of Racine,.....	4,007
Brown County Bank,.....	4,937
Fox River Bank,.....	719
Merchants and Mechanics Bank,.....	16,345
	<u>\$164,936</u>

*Statement of Stock de
the amount of*

Name of Sto

California	.....7s.....
Georgia	.....6s.....
Illinois	.....6s.....
Iowa	.....7s.....
Indiana	.....5s.....
Kentucky	.....6s.....
Lousiana	.....6s.....
Michigan	.....6s.....
Missouri	.....6s.....
Minnesota	.....8s.....
North Carolina	.....6s.....
Ohio	.....6s.....
Tennessee	.....6s.....
Virginia	.....6s.....
Wisconsin	.....6s.....
Milwaukee and Wat. R. R. B	
Racine and Mississippi R. R.	
Total	.....

I.

Statement of Wisconsin Banks having an excess of circulation over the estimated value of securities, including specie.

Name of Bank.	Circulation.	Estimat'd val.	Excess.
Arctic Bank,.....	\$196,165	\$195,730	435
Bank of Eau Claire,.....	39,605	39,320	285
Bank of Fond du Lac,.....	40,993	40,380	613
Bank of Grant County,.....	71,659	71,080	579
Bank of Interior,.....	42,880	42,220	660
Bank of Milwaukee,.....	13,133	12,380	253
Bank of Moneka,.....	35,855	35,770	85
Bank of Montello,.....	21,604	21,510	94
Bank of Oconto,.....	50,000	49,690	310
Bank of Oshkosh,.....	29,000	28,650	350
Bank of Portage,.....	49,589	49,480	109
Bank of Prairie du Chien,.....	48,998	48,550	348
Bank of Monroe,.....	21,012	20,870	142
Bank of Wisconsin,.....	49,896	49,230	660
Chippewa Bank,.....	26,590	26,570	20
City Bank of Kenosha,.....	36,850	36,340	510
Columbia County Bank,.....	37,659	37,470	189
Dodge County Bank,.....	22,517	22,395	122
Frontier Bank,.....	29,320	29,270	50
Green Bay Bank,.....	27,444	27,430	14
Hall and Brother's Bank,....	49,969	49,800	189
Juneau Bank,.....	9,765	9,415	350
Katanyan Bank,.....	38,461	38,180	281
La Crosse County Bank,.....	20,695	20,240	455
Laborers' Bank,.....	41,690	41,390	300
Marine Bank,.....	11,000	10,790	210
Mercantile Bank,.....	42,996	42,460	536
Oconto County Bank,.....	50,000	49,150	850
Oneida Bank,.....	24,735	24,600	135
Oshkosh Commercial Bank,.....	33,034	32,890	144
Sauk County Bank,.....	41,572	41,070	502
St. Croix River Bank,.....	73,660	73,545	115
Walworth County Bank,.....	38,580	37,960	620
Waukesha County Bank,.....	67,275	67,030	245
Waupaca County Bank,.....	50,000	49,980	20
Waupun Bank,.....	24,291	24,050	241
Wisconsin Marine Fire Insurance Co.,..	35,372	35,360	12
Farmers' and Mechanics' Bank,.....	17,749	17,350	399
Wisconsin Valley Bank,.....	99,990	99,570	420
Wisconsin Pinery Bank,.....	49,995	49,920	75
Mechanics' Bank,.....	25,000	24,900	100
Osborne Bank,.....	49,725	49,170	555
Bank of Jefferson,.....	49,998	49,550	448
Bank of Sparta,.....	16,148	15,770	378
Reedsburgh Bank,.....	32,360	31,580	680
Farmers' Bank of Two Rivers,....	49,890	49,040	850
Bank of Appleton,.....	48,147	48,140	7
Bank of Green Bay,.....	47,025	46,850	175
Rock County Bank,.....	25,055	24,900	155
Rockwell & Co.'s Bank,.....	25,000	24,640	360
Bank of Albany,.....	25,000	24,900	100
	\$2,154,843	\$2,138,395	\$16,448

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ACCOUNTS AND APPROPRIATIONS.

<i>Assembly.</i>				
No. No.	Amount	Amount		
Acc. Bill.	Claimed.	Reported.		
18 133	500 00	200 00	Abbott, Chauncey, 82 114 146 163 248 262 264	
			278 420 437 466 536	
70 ...	5 00	.....	Andrews, N. L., 523 1,015	
.. 645	40 00	.....	.....do... 972 1,015 1,065	
9 ...	179 10	.....	Averill, J. K., 49 101 121 162	
69 434	27 00	27 00	Barnes, Wm. P., 511 528 529 606 679	
40 276	650 00	650 00	Berliner & Bruno, (See S. B. Scott, assignee.)	
17 136	80 00	65 00	Bennett, C. W., 82 164 182 234 240 260 367	
			376 386 393	
59 318	12 00	10 00	Benedict, S. G., 372 384 395 458 480	
63 391	12 00	12 00	.....do..... 463 477 540 554 545 751 762	
			803 805	
79 ..	50 00	.....	Benedict, S. G., 707 1,045	
32 ...	144 35	.....	Bendure, Thomas, 156 256	
7 95	468 00	312 00	Bishop, Andrew, 42 102 106 107 116 123 178	
			198 220 231	
57 299	52 00	52 00	Bishop, Andrew, 251 363 389 388 399 403 556	
			569 595 686	
80 627	60 00	60 00	Bishop, Andrew, 727 831 894 1,009 1,016 1,039	
			1,086 1,115 1,122 1,133	
67 528	80 00	80 00	Bingham, Harry, 505 695 786 860 897 931 979	
28 146	427 53	427 53	Bliss, Eberhard & Festner, 141 173 191 191	
			198 218 298 307 318 385	
97 656	161 01	62 24	Bliss, Eberhard & Festner, 1021 1064 1071	
			1085 1017 1018 1133	
.. 269	.....	.....	Blind, and Deaf and Dumb Institutes, 816 737	
			998 1004 1036 1038 1115 1122 1132	
8 96	80 37	80 37	Bouck, Gabriel, 49 102 106 107 116 123 178	
			198 220 231	
95 651	26 13	26 13	Bowen, J. B., 957 984 1009 1016 1037 1086	
			1117 1118 1133	
22 114	27 45	27 45	Bovee, T. N., 95 115 120 121 128 132 178 199	
			220 232	
83 ...	9 33	.....	Bonson, John, 789 820	
90 650	49 75	49 75	Brett, Burt, 944 984 1009 1006 1037 1086 1117	
			1118 1133	
23 184	138 93	133 93	Brown, T., assignee of S. R. Fox. (See S. R. Fox.)	
33 244	19 00	18 00	Burnham, A., jr., 156 295 310 311 318 320	
			367 376 386 393	

*Accounts and Appropriations.—continued.**Assembly.*

No. Acc.	No. Bill.	Amount Claimed.	Amount Reported.	
14	144	2,985 00	2,354 00	Church & Hawley, 70 173 212 226 227 238 256 257 264
52	317	198 61	198 60	Church & Hawley, 288 384 385 406 407 418 448 600 706 738 864 1050.
86	625	23 00	23 00	Church & Hawley, 871 894 1008 1016 1058 1086 1115 1122 1183
46	248	47 00	41 00	Clements, D. R., 238 295 310 311 318 322 367 377 386 393
51	...	66 88	.....	Cobb, Amasa, 274 296.
58	309	66 88	66 88	.....do..... 361 374 375 388 389 399 405 556 569 595 686
42	432	58 59	50 98	Coles, Milo, 238 296 511 528 606 631 645 662 811 899 930 979
39	198	93 00	93 00	Cramer, Wm. E., 195 226 227 262 264 278 284 352 585 613
..	520	93 00	.....	Cramer, Wm. E., 692 1015 1065
84	617	225 00	225 00	Crane, L. H. D., 790 873 1009 1016 1039 1087 1088 1101 1103 1123 1136
2	...	30 00	.....	Curry, Wm. H., 42 101 240
77	543	257 56	257 56	Darwin, A. G., 688 713 714 786 1007 1040 1081 1130
..	301	115 80	.....	Delaney, Mitchell L., 372 384 510 538 741 762 803 805
31	149	172 50	172 50	Donaldson & Treadway, 145 173 181 191 198 219 298 307 318 385
34	...	4 75	.....	Dodge Solon G., 156 714
..	507	.....	.....	Domschke, B., 667 693 808 810
29	215	166 25	157 50	Everitt, Wm. G., 141 256 263 264 279 284 367 377 386 393
11	112	86 00	80 00	Foster, Wm. H., 64 115 120 121 128 131 178 199 220 232
23	134	183 98	183 98	Fox, Samuel R., 109 164 182 191 198 215 367 377 386 393
76	...	706 92	.....	Fuller, M. E., 665 776
..	647	.....	.....	German documents, 980 1045 1065
82	591	50 25	50 25	Garner, E. G., 831 935 942 959 970 1086 1113 1114 1133
..	372	.....	.....	Goldsmith, Joseph, 463 577 606 633 643 724 779 901 921 950 977 980
64	392	98 86	98 86	Gootman, Louis, 463 477 540 545 555 741 762 803 805
50	250	30 00	30 00	Gill, Wm. J., 274 295 310 311 318 323 367 376 386 393
54	286	9 80	210 21	{ Gibbs, Edmund, 300 { 817 325 326 333 340 363.....do..... 288 { 377 386 393.....do..... { 892 984 1009 1016 1042.....do..... { 1086 1117 1118 1133
53	266	284 00		
88	649	72 00		
89	649	18 88		
13	97	7 00	7 00	Harvey, James, W., 70 102 106 107 116 123 178 198 220 231

Accounts and Appropriations.—continued.

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No. Ac.	No. Bill.	Amount Claimed.	Amount Reported.	
..	526	52 50	Hartung, Theodore, 693 714 1010
30	290	1,242 25	1,242 25	Hitchcock, James H., 145 295 854 855 864 888 390 418 436 444 445 511 908 961 996 1047
..	581	350 00	.....	Indexing and transcribing journals, 801 895 1057 1085 1113 1114 1133
..	540	.....	.....	Joint committee on State Prison, 709 783 936 937 1086 1117 1118 1132
49	249	188 61	188 61	Kittridge, C. V. N., 274 295 310 311 318 322 421 437 465 1092
96	655	52 77	52 77	Kittridge, C. V. N., 981 1015 1062 1085 1117 1118 1133
16	98	392 51	392 56	Klauber, Samuel, 81 102 105 107 116 124 178 199 220 232
19	147	230 00	162 00	Lawton, R. T., 82 173 181 192 199 219 280 307 318 385
Mem.	92	251	.....	Lacy, Thomas B., 295 310 311 318 323 685 725 804 935
43	245	45 00	39 00	Lessey, John F., 238 295 310 311 318 321 367 377 386 393
47	265	60 00	44 00	Lipe, A. P., { 252 317 325 326 333 341 367 376 { 386 393
48	265	108 00		Luce, Charles H., 169 248 263 264 279 285 367 377 386 393
37	207	189 94	189 84	
10	92	30 00	30 00	Martin, E., 49 101 102 106 116 121 169 178 221 231
56	263	42 50	30 00	....do.... 300 317 326 333 341 368 377 386
..	333	.....	.....	Martin, M., 417 1050 1065
85	624	50 00	50 00	Marvin, C. M., 835 894 1009 1016 1038 1086 1115 1122 1133
35	...	20 00	.....	McCall, James V., 156 714
65	411	84 00	81 75	McFarland, Thomas, 483 499 558 582 594 630 811 851 878 908
..	515	.....	.....	Military companies, 714
15	113	604 18	604 18	Mosely & Bro., 81 115 120 121 128 132 178 199 232
98	...	95 00	.....	Mosely & Bro., 1035 1071
72	489	11 92	217 93	.....do..... { 610 643 785 1007 1032 1081 { 1130
72	489	206 01		
71	464	77 15	77 15	Muldoon & Crampton, 542 571 574 638 678 710 724 811 861 878 906
61	601	228 00	200 00	Mygatt & Schmidner, 395 613 843 873 1010 1016 1086 1113 1114 1133
..	633	.....	.....	Newspapers for Assembly, 948 1084
20	527	845 00	422 00	Newland, F. W., 82 695 831 1001 1016 1043 1066 1117 1118 1132
68	433	122 45	122 45	Norris, G. D., 505 528 606 631 645 662 811 861 878 908

*Accounts and Appropriations.—continued.**Assembly.*

No. Acc.	No. Bill.	Amount Claimed.	Amount Reported.	
87	626	26 24	26 24	Norton, R. G., 871 894 1009 1016 1086 1115 1122 1183
12	...	250 00	.....	Orton & Bryant, 64 295 332 425 585 714 1049
..	258	.....	.....	Officers of Assembly, 303 311 325 343 369
..	420	.....	.....	Officers of the Legislature, 524 618 614 761 762 803 805
44	246	186 67	186 67	Paine, George, 238 295 310 311 318 321 367 377 386 393
55	267	41 07	41 07	Poole D. C., 300 217 326 333 349 368 376 396 394
81	590	73 75	73 75	Porter, Wm. P., 766 831 935 942 959 969 1086 1115 1122 1183
41	298	231 12	96 00	Reed, Harrison, 212 363 420 424 444 452 453 484 488
91	...	5,452 10	.....	Ross, James, 949 986 1021 1051
92	...	15 90	.....	....do ... 949 986 1021 1051
93	...	181 20	.....	....do..... 949 986 1021 1051
94	...	2,569 20	.....	....do. ... 949 986 1021 1051
25	164	100 00	92 00	Saxton, L. E., 109 189 203 204 227 254 259 306 361 378 907
40	276	650 00	650 00	Scott, S. B., assignee, 212 248 288 321 387 389 399 404 556 564 686
74	529	200 00	200 00	Seofield, O. G., 641 695 808 810 818 901 962 977 998 1047
24	185	133 00	133 00	Sekles, Simon, 109 164 192 191 198 220 264 286 296 385
60	378	125 00	125 00	Seifert, Henry, 382 465 470 471 477 487 685
3	463	18 18 }	12 50 }	Stone, H. A., 42 573 688 733
5	463	30 03 }		
4	93	66 50 }	41 50 }	
6	...	173 00	.....	....do..... 42 101 106 107 116 122 178 198 221 231
..	308	.....	.....	Stone, H. A., 42 374
38	208	91 65	91 65	State Reform School, 374 873 917 921 932 960 Suckow, B. W., 195 248 263 264 279 285 367 376 386 393
27	300	75 00	73 75	Theis, Geo., 125 364 388 389 399 404 556 569 595 686
62	...	10 00	.....	Throop, Uncle Ben, 409 452
78	...	150 00	.....	Tripp, Mrs. R. A., 688 776
66	410	765 83	765 83	Van Bergen, S. H., 474 498 499 558 582 594 629 696 722 728 804
36	...	234 00	.....	Wells, J. H., 169 465
75	...	5 00	.....	Westcott, E., 641 714
21	145	322 20	322 20	Whitman, Wolf, Duff & Co., 95 173 182 191 218 367 377 396 394
1	94	50 00	50 00	Williams, Benj., 42 101 102 106 107 116 122 178 221 248 279

*Accounts and Appropriations—continued.**Assembly.*

No. Acc. Bill.	No. Bill.	Amount Claimed.	Amount Reported	
26	206	20 60	16 50	Woodworth, Joshua, 125 248 263 264 278 283 367 376 386 394
45	247	44 63	44 63	Wright & Paine, 238 295 310 311 318 322 367 377 386 393

Senate.

No. Bill.	By whom introduced.			
13	Thurber,.....	.....	Agricultural Society, Manitowoc, 179 203 204 215 249 255	
116	Maxon,.....	.....	Agricultural Societies, 547 548 574 601 660 702	
270	Burdick,.....	.....	Auditing of Claims and Accounts, 962 992 1058 1101 1122	
43	Stewart,...	.....	Bowen, Hiram, 232 233 261 262 260 308	
153	Committee on Claims,	.....	Burke, A. L., 357 362 368 424 426 442 436. 496	
331	.....do.....	.....	Berliner & Bruno, 1006 1027 1060 1100 1121	
131	.....do.....	.....	Candee, Dibble & Co., 368 387 389 401 421	
134	Bartlett,.....	.....	Commissioner of State Prison, 343 368 377 380	
282	.....do.....	.....	.....do..... 951 955 963 997	
283	.....do.....	.....	.....do..... 1018 1028 1050 1058 1101 1121	
224	Committee on Claims,	.....	Campbell, Hugh, 674 675 785 862 899	
244	Stewart,.....	.....	Chaplains, 962 992 1062 1111	
340	Hutchinson,.....	.....	Commissioners of S. and U. Land. (See Com- missioners)	
339	Committee on Claims,	.....	Domschke, B., 1006 1027 1060 1111	
263	.....do.....	.....	Edgar, William, 811, 828 934 941 965 1017	
263	.....do.....	.....	Edgar, William, 811 828 934 941 965 1017	
26	Hutchinson,.....	.....	Fisher, James, 179 203 204 216 257 264	
102	Committee on Claims,	.....	Fox, Hudson, 368 387 389 402 421 436	
216	Com. on Judiciary,...	.....	Flowers, James M., 674 675 788 836 905 965 1017	
29	Maxon,.....	.....	Gas, for State Buildings, 1005 1029 1085	
96	Committee on Claims,	.....	Gill, Charles R., 1102	
250	.....do.....	.....	Giles, Joseph, 742 780 798 835 909 947	
269	Hanchett,.....	.....	Gleiter, Michael, (patent to) 806 829 831 1049 1057 1111	
284	.....do.....	.....	Garrison & Jackson, (Island to) 908 918 1057 1101	
306	Committee on Claims,	.....	Gill, Thomas, 811 828 934 941 967 1018	
308	.....do.....	.....	Gill, Wm. J., 811 828 934 942 968 1018	
207	.....do.....	.....	Harvey, L. P., 601 627 628 639 664 677 718 807	
309	.....do.....	.....	Henwood, Francis, 811 828 934 942 968 1017	
310	.....do.....	.....	Hawley, William, 811 828 1009 1037 1084	
265	.....do.....	.....	Keyes, S. S., 811 828 934 941 966 1018	
307	.....do.....	.....	Knudson, Thomas, 811 828 934 942 967 1018	
351	Com. on Education,...	.....	Kur, Joseph, (relief,) 938 1097 1110	

*Accounts and Appropriations.—continued.**Senate.*

No. Bill.	By whom introduced.	
89	Hutchinson,.....	Langdon, N. B., and others, 415 419 459 460 478 509 517 539 546 547 548
95	Committee on Claims,.	Livesey, James, 368 387 389 400 421 436
196	.....do.	Langworthy, A. J., 600 627 628 639 664 676 761 821
297	.. .do.....	Langworthy, A. J., 811 828 934 941 966 1017
141	.....do.....	McDowell, Alex., 368 387 389 402 421 436
215	Curtis,.....	Maughs, James M., 806 828 934 941 965 1017
7	.....do.....	Newspapers for Legislature, 130 150 151 179 202 204 215 249 312 343 369 400 436
10	Bennett,.....	Officers of Legislature, 232 233 363 423 426 427 479 501 517
24	Hutchinson,.....	Polleys, James W., 179 203 204 215 257 264
252	Com. on Printing,....	Proudfit, Andrew, 861 884 906 1049 1076 1101
296	.....do.....	Parks, Rufus, 811 828 934 941 966 1017
39	Committee on Claims,.	Reed, D. A., 1006 1028 1060 1085
72	Com. on Conting't Ex.,	Randall, A. W., (Contingent,) 319 320 330 380 387 407
32	Com. on Pub Lands,.	Swamp Lands to Crawford and other counties, 466 472 1013 1056
154	Committee on Claims,.	Sekles, Simon, 368 387 389 402 421 436
264	.....do.....	Seeley, J. W., 996 1003 1059 1100 1121
345	Worthington,.....	Stationery for 1861, 1018 1028 1061 1111
352	.....do.....	State Reform School, 1051 1063 1085 1087 1099
357	Com. on Benev. Ins.,.	State Hospital for Insane, 1019 1028 1062 1085
40	Committee on Claims,.	Telegraph Co., 191 203 204 216 257 264
79	.....do.....	Towers, W. P., 233 261 262 281 298 306
108	.....do.....	Welch, John D., 368 387 389 401 421 436
132	.....do.....	Wakeley & Tenney, 705 723 786 834 909 947
114	Hutchinson,.....	Webster's Dictionary, 556 568 577 628 697 740
155	Davis,.....	Wisconsin Reports, 961 992 1064

AMENDMENTS TO REVISED STATUTES.

Assembly.

No. Bill.	By whom introduced.	Sec.	Chap.	
99	Wiley,.....	35, 46	2	112 246 379 380 418 442 659 706 738 804
447	Patchin, .....	...	2	562 715 784 802 922 060 996 1047
31	Elmore,	38	6	54 67 78 79 104 107 214 230 247 279
632	Elmore,	20	6	946 1097 1110
285	DeWolf,	30	7	354 392 424 479

*Amendments to Revised Statutes.—continued.**Assembly.*

No. Bill.	By whom introduced.	Sec.	Chap.	
584	Elmore,.....	9	709 788 795 831 1053 1054	
631	...do.....	38	10 946 1024	
560	...do.....	11	767 1069	
118	Seaton,.....	42	13 127 162 183 193	
274	Clise,.....	87	13 330 376 423 426 452 457	
314	Goodwin,.....	28	13 884 574 735 935 943	
106	Horton,.....	112	15 112 162 182 193	
89	Elmore,.....	16	65 78 79 128 150 151 172 180 860	
107	Jackson,.....	18	112 499 559 581	
280	Meigs,.....	18	276 739 944 1082	
253	Bouck,.....	18	302 715 784 823 911 931 980	
275	Clise,.....	67, 70	18 330 373 424 426 462 469 565 579	
			616 961	
323	Keogh,.....	110	18 411 578 687 699	
373	Bartlett,.....	159	18 463 495 559 581	
405	Neville,.....	18	493 845 1049 1080	
412	Sel. Com. (Elmore,)....	18	501 568 604 705 725 802 924 826	
			832 858 863 865 952 953	
635	Holton,.....	18	947	
18	Young,.....	58	19 52 87 91 92 104 107 232 247 255	
			279	
80	Alden,.....	66, 84	19 99 115 120 171 187 205 468	
653	Waukesha Delegation, ..	19	1004 1097 1109 1126 1127 1136	
281	Bouck,.....	11	23 353 454 519 1082	
500	VanderCook,.....	27	23 658 845 1049 1080	
585	Holton,.....	23	816 896 1014 1104 1125 1129 1135	
281	Meigs,.....	24	276 739 944 1082	
424	Moore,.....	25	525 576 638 678 732 732 1007 1040	
			1082 1130	
257	Elmore,.....	62, 117	28 303 507 607 699	
156	Griswold,.....	16	35 186 227 342 356 370 548	
519	Goodwin,.....	2	37 692	
108	Mitchell,.....	43	113 365 389 398 405 413 435 805	
46	Langland,.....	11	57 66 174 183 193	
535	Ruan,.....	1	59 709 739 808 809	
47	Dockry,.....	1	60 66 87 92 506 524 527 555 573 680	
			681	
322	Fairchild,.....	2	63 411 452 489 490	
630	Elmore,.....	{ 13, 45 } 41, 47	71 946 1023 1024	
70	Whittlesey,.....	73	85 175 182 192 193 205 510 517	
			564 685	
336	Hayden,.....	40	79 417 454 471	
559	Elmore,.....	3	80 767 943 959 970 1012 1021 1022	
			1042	
560	...do.....	81	(See amendment to chap. 11)	
110	Griswold,.....	81	112 113 1069	
199	Howland,.....	8	86 239 293 310 324 333 339 548	
486	Smith,.....	8 to 11	94 642 682	
371	Horn,.....	95	463 544 606 679	
510	Palmer,.....	97	667 683 787	
178	Hammquist,.....	109	209 1071	
232	McMichael,.....	9	109 276 616 638 663 732 781 994	
425	Jackson,.....	11	110 525 576 638 678 731 782	
369	Palmer,.....	1	115 463 616 687 649	

*Amendments to Revised Statutes.—continued.**Assembly.*

No. Bill.	By whom introduced.	Sec.	Chap.
277	Palmer,	139	353 545 607 631 684 698 961 1040 1082 1180
316	Goodwin,	12	140 384 451 489 490
384	Palmer,	53	140 475 544 606 631 679 698 962 1003 1031 1047
152	Goodwin,	150	186 228 261 262 297
252	...do, ...	150	297 306 489 490 577 955 998 1015 1035
326	Hayden,	12	151 411 451 489 490
174	Moore,	153	208 817 422 423 451 458 465 706 717 740 780 819 880 909 917 950 977 980
329	Neville,	153	412 1089
166	Bouck,	157	196 1071
24	Horn,	51, 61	158 53 229 261 262 299 308 379
196	Clise,	2	163 226 293 310 324
367	Judiciary Committee, ..	164	452 519 520 604
255	Blackman,	5	181 303 397 459 460 464 469 565
104	Dickson,	9	183 112 189 202 204 230 250
203	Wiley,	183	240 892 424 426
252	Sheboygan Delegation, ..	15	183 986 1098 1109 1124 1128 1136
93	Kingsbury,	184	657 819 1010 1016 1042 1105 1128 1137
262	Smith,	183	315 959 1107
30	Elmore,	11	183 412 489 490 818 1014 1015 1045 1077 1104 1128 1137
115	Schmidtner,	3	190 384 398 519 520 527 555 562 594 661 963 1003 1031 1047
95	Bunn,	197	226 292 309 324 333 339 510 530 564 685

Senate.

No. Bill.	By whom introduced.	Sec.	Chap.
90	A. I. Bennett,	6	1006 1028
28	Burdick,	17	6 1006 1028
12	Washburn,	12	306 828 934 944 983 984 1056
22	Burdick,	13	179 203 204 205 249 255
45	Thurber,	13	214 215 258 277 280 319 320 334
27	Seeley,	13	951 964 972 989 1024 1043 1044
27	Seeley,	{ 57, 127 95	{ 13 18 } 996 1003 1068
27	Bartlett,	13	859 894 909 989 1103
45	Hanchett,	13	1007 1029
73	Seeley,	95	18 (See chap. 13, <i>supra</i> .)
31	Hutchinson,	22	557 568 577 633 637 661 713 807
31	Virgin,	45	23 391 406 407 413 456 466
17	Cox,	23	674 675 788 798 808 810 826 895 1049 1080
31	A. I. Bennett,	23	962 993 1050
16	Washburn,	30	23 1006 1028
36	Hanchett,	25	682 1048 1076 1110 1122
75	Virgin,	28	(See school and university lands.)
36	Stewart,	52	28 481 487 540 549 583 658

*Amendments to Revised Statutes.—continued.**Senate.*

No. Bill.	By whom introduced.	Sec.	Chap.	
209	Hanchett,.....	106	28	806 828 935 943 989 990 1033 1084
327	Bartlett,.....	61	28	1006 1028
158	Stewart,.....	9	29	862 883 1048 1058 1095 1100 1121
228	Com. on Public Lands,...	...	29	(See Drainage Fund Income, &c.)
328	Hotchkiss,.....	...	34	996
149	Bartlett,.....	...	25	557 567 680 681
235	Worthington,.....	...	71	908 918
59	Phillips,....	...	79	(See Railroads.)
168	Davis,.....	1-7	79	600 627 628 659 808 809
321	Joint Select Com.,.....	...	81	995 1001 1033 1084 1053 1055 1082 1110
150	Bartlett,.....	8	86	601 628 683 798 862 899
228	Burdick,.....	12	111	705 722 818 1010
86	Taylor,.....	3, 8, 13,	118	(See miscellaneous.)
61	Hutchinson,.....	27	132	232 234 261 262 276 282 29 320 334
8	Bennett,.....	...	133	119 130 150 179 214 221
324	Hanchett,.....	79	133	806 830 983 1107
356	Simpson,.....	59	133	1101
315	Taylor,.....	...	134	1101
312	Hutchinson,.....	1	136	1006 1029 1073
27	Gill,.....	26	139	481 486 540 545 555 583 650
232	Taylor,.....	2	140	705 723 778 793 863 899
199	Masters,.....	...	151	705 723 818 1010
304	Hutchinson,.....	...	157	1029 1032 1075 1110
107	..... do.....	1	166	421 441 455 470 471 478 539 565
140	Davis,.....	...	167	962 992 1073

AMENDMENTS TO SESSION LAWS.

1849.

Senate.

No. Bill.	By whom introduced.	Sec.	Chap.
68	Worthington,.....	..	97 (See Carroll College.)

1850.

Assembly.

205	Columbia Co. Deleat'n,	87	13 (See Ferries, J. B. Miller.)
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Senate.

332	Hutchinson,.....	..	190 (See University.)
311	Davis,.....	..	258 (See Ft. Winnebago and D. C. Plank Road Company.)

1852.

Assembly.

359	Lewis,.....	9	2 (See Fond du Lac City.)
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Amendments to Session Laws.—continued.

1853.

Assembly.

No. Bill.	By whom introduced.	Sec. Chap.
78	Phillips, .....	.. 270 (See Dams.)

1855.

Assembly.

200	Wheeler, .....	.. 59 (See Beloit Gas Co.)
616	Howland,	1 107 (See Kenosha Female Seminary.)
82	Sumner,	1 266 (See Ft. Win., B. V. and M. R. R.)
77	Phillips, 330 (See Wis. Riv. Hydraulic Co.)

Senate.

178	Stewart, 299 (See Sugar Riv. Val. R. R. Co.)
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1856.

Assembly.

187	Ordway,	15 10 (See Beaver Dam.)
612	Phillips, 48 872 915
589	Sumner, 268 (See Ferries, &c.)
188	Clise, .....	.. 224 (See Lancaster.)
282	Bouck, .....	.. 409 (See Ripon and W. R. R. Co.)
79	Phillips, .....	.. 508 (See Dams.)

Senate.

41	Sweat, .....	.. 71 (See Ferries.)
169	Washburn,	{ .. 132 } .. 502 } (See Oshkosh.) .. &c. }
156	Virgin,	{ 8 } 16 } 840 (See Arena and Dubuque R. R. Co.)

1857.

Assembly.

546	Bow,	{ 12 } 13 } 47 { 730 817 1048 1075 1105 1127 1128 1135
313	Palmer, .....	.. 88 (See State Reform School.)
432	Wescott,	6 143 (See Schools.)
331	Bettis, .....	.. 277 (See Waupun.)
457	..do.. .....	.. 277 (.....do.....)

Senate.

220	Washburn, .....	.. 47 (See Oshkosh.)
318	Bennett,	4 138 (See Kenosha.)
101	Rodolf, .....	.. 263 (See Mus. and Rich. Bridge Co.)
319	Cox, .....	.. 275 (See Hudson.)
254	Seeley, .....	.. 330 (See Berlin.)
225	Sweet, .....	.. 345 (See Black Earth)
81	Curtis, .....	.. .. (See Yellow River Imp. Co.)
299	Cox,	12 8 (See Prescott.)

Amendments to Session Laws.—continued.

1858.

Assembly.

No. Bill.	By whom introduced.	Sec.	Chap.	
43	Bunn.....	..	11	(See Buffalo Co.)
619	Wheeler,.....	..	80	(See amendm'ts to chap. 129, R. S.)
622	Holton,.....	1, 3	83	(See Banks.)
614	Cobb,.....	..	87	(See Militia.)
128	Griswold,.....	..	124	(See Columbia Co.)
58	Palmer,.....	..	134	(See Practice and Proceedings.)
523	Hayden,.....	..	148	692 734 955 999

Senate.

123	Simpson,....	..	48	600 646 687 699
148	Virgin,.....	1	51	(See Schools.)
218	Thurber,.....	..	104	(See State Roads.)
169	Washburn,.....	..	138	(See Oshkosh.)
14	Maxon,.....	..	155	(See Secretary of State.)
163	Hutchinson,.....	..	252	(See La Crosse City.)
198	Stewart,.....	..	...	(See Drainage Fund.)

1859.

Assembly.

20	Munn,.....	..	3	Legal Notices, 52 67 77 79 90 100 106 107 128 131 133 165 390 407 425 453 586
187	Ordway,.....	15	10	(See Beaver Dam.)
509	Wiley,..	..	22	Tax Sales, 667 683 784 1068 1120 1121 1134
5	Whittlesey,.....	..	22	....do..... 45 67 77 79 85 92 178 199 220 232
68	Bunn,	10	22	....do..... 84 497 559 581
100	Palmer, .....	..	22	....do..... 112 162 181 192 196 437 466 536
364	McKay,.....	55	22	....do..... 448 576 633 637
61	Humann,.....	..	40	(See Milwaukee)
530	Goodwin,.....	..	43	(See State Roads.)
101	Smith,.....	..	46	Town Insurance Co.'s, 112 175 182 192 199 205 481 490 526 537
406	Baldwin,.....	..	46	Town Ins. Co., 484 668 787
289	Munn,.....	..	97	(See Portage City.)
214	Humann,.....	1, 2	89	State Purchases, 253 305 422 423 452 457 740 780 861 878 907
85	Goodwin,.....	..	91	R. R. Stockholders, 99 189 202 204 230 250 600 706 738 804
192	McMichael,.....	..	95	(See Bad Ax Co.)
174	Moore,.....	..	113	(See amendm'ts to chap. 153, R. S.)
132	Dockry,.....	..	115	Liquors on Sunday, 161 305 414 420
38	Bartlett,.....	..	123	(See State Lands.)
261	Judiciary Committee,..	..	127	(See Courts.)
324	Clise,.....	..	132	(See B. & M. Bridge Company.)
105	Miller,.....	..	184	(See U. S. District Court.)
491	Select Committee.....	..	149	Rights of Mortgagors, 647 808 810 842 942 959 985

Amendments to Session Laws.—continued.

Assembly.

No. Bill.	By whom introduced.	Sec.	Chap.	
328	Neville,.....	..	151	Ships, Boats, &c., 412 454 476 540 562 963 993 1019 1053 1108
152	Goodwin,.....	..	151	Ships, Boats, &c., (see amendments to chap. 150, R. S.)
152	...do.....	..	151	Ships, Boats, &c., (see amendments to chap. 150, R. S.)
87	Horton,.....	1	160	Rate of Int., 99 831 717 788 793 794 808 810
173	Wheeler,.....	..	160	Rate of Int., 588 895 1094
73	Green,.....	..	164	(See Calumet County.)
87	Howland,.....	..	164	(See Kenosha.)
6	Kiefer,.....	47	167	Tax Law, 45 89 499 559 568 569
61	Ordway,.....	..	167	...do ... 187 499 559 581
116	Schmidtner,.....	..	167	...do ... 259 499 559 581
65	Bouck,.....	..	168	(See Railroads)
80	McMichael,.....	..	178	Forfeited Lands, 224 293 342 343 356 378 832 897 931 979
92	Palmer,.....	..	181	(See Practice and Proceedings.)
27	Elmore,.....	..	185	Regulating Fences, 52 89 117 129 166
76	Sutton,.....	..	186	(See Town of Shields.)
48	Lyon,.....	..	190	(See Insurance.)
35	Bunn,.....	..	197	(See Buffalo City.)
17	Humann,.....	..	204	(See Milwaukee.)
14	Howland,.....	..	210	Town Libraries, 66 306 414 419 435 443
41	Clise,.....	..	210	(See B. & M. Bridge Co.)
24	Goodwin,.....	..	211	(See Railroads.)
55	...do.....	..	211	do
11	Rogers,.....	..	218	Sheboygan Harbor, 872 893 972 1078 1099
1	Howland,.....	4	220	(See Practice and Proceedings.)
18	Lewis,.....	..	222	(See Names Changed.)
3	Whittlesey,.....	2, 3	...	(See La Pointe Iron Co.)

Senate.

9	Bennett,.....	..	22	Tax Sales, 119 130 170 177
0	Redolf,.....	..	22	...do.... 319 320 389 390 499 500
7	Gill,.....	..	22	...do.... 705 723 788 818 1010
6	Committee on Finance..	..	32	...do.... 557 567 578
8	Worthington,.....	..	80	(See Waukesha Village.)
7	Taylor,.....	10	52	(See Dane County Court.)
5	Sweat,.....	..	52	do
5	Hutchinson,.....	13	94	Academies, &c., 977 992
2	...do.....	..	104	(See La Crosse County.)
5	...do.....	..	114	(See Crawford County.)
1	Worthington,.....	..	160	Rate of Interest, 705 707 717 788 793 794 808 810 886 887 921
1	Bennett,.....	..	167	Tax Law, 308 820 499 568 604 704 728 802 824 826 832 833 868 904 919 951 995 999 1019 1027 1054 1071 1104
...	...do.....	..	167	Tax Law, 996 1003
1	Cox,.....	..	191	(See Dallas County.)
1	Decker,.....	..	198	(See Oconto Village.)

*Amendments to Session Laws.—continued.**Assembly.*

No. Bill.	By whom introduced.	Sec.	Chap.	
246½	Davis, ..	2	197	Evidence, &c., (see Practice and Proceedings.)
75	Virgin, .....	..	205	(See School and University Lands.)
300	Waaburn,	8	210	Town Libraries, 982 993 1050
48	Curtis, .....	..	...	Cranberries, 232 233 261 262 276 277 280 357 369 386 391 455 539 565
73	Comstock, .....	..	...	(See Milwaukee.)
76	Ferguson, .....	..	...	(See Horicon Village.)

INCORPORATIONS.

RAILROADS.

No. Assembly Bill.

13	Milwaukee and Beloit, 45	102	105	107	116	121	241	236	247	279
92	Fort Winnebago, Baraboo Valley and Minnesota, 99	197	203	204	210	217				
	440	457	484	496						
202	Sheboygan and Appleton, 240	454	470	471						
211	Green Bay and Madison, 253	873	423	426	451	457	696	725	763	804
259	Fort Howard and Appleton, 303	777	799	862	960	996				
272	Madison, Portage and Lake Superior, 330	663	769	793	993	909	971			
...	La Crosse Grant repealed, (See No. 272, <i>Supra.</i>)									
282	Ripon and Wolf River, 353	873	887	889	896	403	697			
351	Green Bay, Milwaukee, and Chicago, 447	646	784	1018	1063	1116	1131			
430	DePere and Appleton, 526	991	1107							
451	Winnebago and Superior, 562	767	857	880	903	909	976			
...	North Eastern Grant repealed, (See No. 451, <i>Supra.</i>)									
504	Milwaukee, Watertown and Barraboo, 667	893	1013	1014	1086	1111	1119			
	1134									
568	Milwaukee and Mississippi, 768	879	982	1100	1113	1115	1133			
621	Manitowoc and Mississippi, 893	925	1050	1056	1075	1104	1125	1127	1136	
55	Election of Directors, 74	454	470	471						
65	Appraising Lands and Damages, 84	197	202	204	230	250	255	564	685	
85	Protection of Stockholders, 99	139	202	204	230	250	600	706	738	804
212	Use of streets in cities, &c., 253	736	943	959	982	985	1053	1055	1087	
	1117	1118	1132							
474	Bondholders, &c., to redeem, 588	1074								
524	Election of Directors, 692									

No. Senate Bill.

135	Kenosha, Rockford and Rock Island, 641	623	639	664	676	761	821			
156	Arena and Dubuque, 431	487	540	549	583	659				
178	Sugar River Valley, 557	567	639	664	676	844	899			
256	Winslow and Jamestown, 922	932	938	991	1075	1122	1129			
365	Shullsburgh Branch, 1018	1028								
53	Fences and cattle guards 414	419	459	460	879	922	932	940	1031	1065
59	Amending chapter 79 Revised Statutes, 468	713	784	863	899					
123	Repealing chapter 48, of 1858, 600	646	687	699						
273	Regulating railroads, 721	723	738	763	764	822	863	899		
274	Exempting from taxation, 721	723	738	763	764	822	863	899		

Amendments to Session Laws.—continued.

BANKS.

Assembly.

No. Bill	Name of Bank.
190	Beloit,..... 225 246 268 264 278 283 441 449 465 536
72	Columbus,..... 85 103 105 107 116 121 298
350	Commercial,..... 435 563 689 678 782 908 960 996 1047
355	Corn Planters,..... 447 644 784 859 897 931 979
598	Clark County,..... 838 877 1093
124	Dodge County,..... 160 231 261 262 278 481 497 526 587
127	Farmers' and Millers',.. 161 246 278 292 481 490 526 537
10	Forest City,..... 45 102 105 107 116 121 298
9	Green Bay,..... 45 102 105 107 128 131 298
623	German,..... 893 1075 1104 1126 1127 1136
111	Manitowoc,..... 113 805 815 481 490 537
555	Milwaukee Sav. Institute, 781 1024
603	North Western,..... 844 1048 1075 1104 1125 1129 1136
4	Northern,..... 16 103 105 106 107 116 121 319
8	Oshkosh,..... 45 103 105 106 107 117 121 232 247 255 279
25	Oshkosh,..... 53 67 78 79 104 107 995 1000 1033 1081 1130
466	Oshkosh Commercial,.. 583 594 645 661 1052 1112 1114 1132
490	Reedsburg,..... 644 785 1032 1083 1116 1132
302	Racine,..... 843 1048 1075 1106 1125 1127 1136
3	Sauk City,..... 16 103 105 107 117 124
363	St. Croix River,..... 448 498 557 582 594 629 810 861 878 908
10	Shawano,..... (See Forest City Bank, <i>supra</i> .)
163	Walworth County,..... 315 498 557 594 629 810 861 878 908
3	Wisconsin,..... (See Sauk City Bank, <i>supra</i> .)
197	Restraind from usury,.. 483 777
422	Savings Institutions,.... 893 916 1097 1109 1126 1127 1136

Senate.

60	Citizens',	414	419	553	606	682	696	660	718	807
18	Columbus,	421	441	469	539	565				
44	Chippewa,	1006	1027							
79	Clark County,	685	697	784	421					
11	Forest City,	265	308	818						
17	Frontier,	359	384	893	988	1075	1122	1129		
03	Green Bay,	415	419	456	466					
21	Lumbermans',	440	457	470	471	539	565			
22	Moneka,	440	457	470	471	539	565			
56	Mechanics',	390	391	406	407	413	456	466		
26	Northern, ..	441	457	470	471	539	565			
33	Oconto,	280	309	333	339	358	366			
34	Oakwood,	415	419	456	466					
12	Shawano,	265	298	307						
32	Tradesmen's,	280	309	328	339	358	366			
30	Wisconsin,	233	261	263	280	306	318			
16	Watertown,	659	675	762	822					

INSURANCE COMPANIES.

6. *Assembly Bills.*

3 Merchant's Mutual, of Milwaukee, 73 88 91 92 104 107 202 210 221 232
 10do..... 841 865 891 1050 1056 1065 1066 1104
 1124 1128 1136)

*Incorporations.—continued.**No. Assembly Bills.*

- 157 Mutual Life, of Madison, 186 197 203 286 309 341 364 378 448 449 469
 600 627 706 737 804
 642 Mutual Life, of Madison, 958 990 1092 1106 1124 1128 1136
 805 U. S. Insurance Co., 378 397 406 407 436 457 741 762 803 805
 648 Mequon Farmer's Mutual, 553 577 606 631 658 677 823 956 977
 608 German Mutual of Milwaukee, 871 1104 1126 1127 1136
 48 Tax on Foreign Companies, 66 75 78 79 90 286 308 332 423 426 451 458
 985
 101 Town Insurance Companies, (see amendments to chapter 46 of 1859)
 400do..... (see amendments to chapter 46 of 1859)

MANUFACTURING, MINING AND AGRICULTURAL.

No. Assembly Bills.

- 77 Wisconsin River Hydraulic Co., 98 277 414 420 535 555 663 698 704 718
 1052 1112 1115 1132
 158 LaPointe Iron Co., 186 197 203 204 210 217 510 530 564 685
 120 Eau Claire Manufacturing Co., 160 227 261 262 278 282 481 527 564 578
 579
 477do..... 611 841 1048 1077
 200 Beloit Gas and Coke Co., 239 292 310 324 357 378 556 564 686
 334 Fox and Wis. River Improvement Co., 417 453 470 471 497 518 1107
 354 Peshtigo Lumbering, &c., 447 458 557 582 594 629 678 1033 1082 1130
 396 Fox and Wisconsin River Imp. Co., riparian owners, 483 1026
 454 LaCrosse Savings and Imp. Co., 572 617 687 700
 605 Fox and Wis. River Imp. Co., 856 889 900 931 979

No. Senate Bills.

- 47 Green Bay Gas Co., 742 780 798 862 899
 180 LaCrosse Hydraulic Co., 509 517 558 567 580 660 704
 229 Wisconsin Agricultural Society, 859 884 937 938 1017
 295 Dane County.....do..... 859 884 937 938 1017

CHARITABLE.

No. Assembly Bills.

- 56 Workmen's Relief, Watertown, 74 88 91 92 103 107 600 706 738 804
 168 St. Anthony Relief, Milwaukee, 196 292 342 343 449 459 460 636 679
 698 994 1032 1082 1130
 569 Mil. Mu. Laborer's Relief, 763 800 995 1032 1081

RELIGIOUS.

No. Assembly Bills.

- 60 Hanover St. Congregational, 73 88 91 92 104 107 214 230 247 279
 472 Plymouth Congregational Soc., 588 645 784 1019 1083 1116 1182
 505 Baptist Society, Lowell, 667 696 860 897 931 979
 221 General act for, 275 528 608 632 683 955 898 1004 1034 1105 1124 1128
 1135

No. Senate Bill.

- 300 Monticello Union Association, 1018 1028
 194 First Univ. Church, Monroe, 557 567 601 660 703
 238 German Evangelical Lutheran, 697 698 784 838

Incorporations.—continued.

EDUCATIONAL.

No. Assembly Bill.

345 Mineral Point Seminary, 434 468 477 496 537
 406 Delavan Academy, 498 529 607 630 645 661 1105 1124 1129
 415 La Crosse Medical College, 507 820 1010
 501 German Free School, Racine, 658 616 787
 616 Kenosha Female Seminary, 873 917 1092 1106 1126 1127 1136

No. Senate Bill.

68 Carroll College, 265 342 377 415 436
 99½ La Crosse Valley Seminary, 509 517 558 567 776

LITERARY.

No. Assembly Bill.

194 Fountain City Social Gymnastic, 226 292 309 324 333 339
 293 Hesperian Literary Society, 361 449 459 460
 544½ Lyceum, Green Bay, 729 845 1045 1088 1120 1121 1134

No. Senate Bill.

294 Manitowoc Library, &c., 1086 107
 162 North-Western Scientific, 400 407 425 449 459 460

365, A., general act for incorporating benevolent, charitable, scientific and literary associations, 449 459 476 484 487 741 796 879 907

FERRIES.

No. Assembly Bill.

26 T. Kirk, Mississippi river, 53 87 91 92
 109 Half Moon, Chippewa river, 113 171 189 203 204 230 250 442 486 516
 530 564 685
 205 J. B. Miller, Wisconsin river, 247 259 280 366 380 386
 385 Eau Claire Co., Chippewa river, 475 615 639 678 731 782 822 900 930
 979
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75, line 39 from top, for 58, read 58.
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